FEDERAL REGISTER

VOLUME 13 NUMBER 175

Washington, Wednesday, September 8, 1948

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch)

[General Sugar Quota Regs., Series 10, No. 1, Amdt. 6]

PART 821—SUGAR QUOTAS

SUGAR QUOTAS FOR 1948

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948 (61 Stat. 922) and the Administrative Procedure Act (60 Stat. 237) General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133) as amended (13 F. R. 1303, 3109, 4009, 4660), establishing quotas for 1948, are hereby amended as hereinafter set forth.

Basis and purpose. This amendment is issued pursuant to the Sugar Act of 1948 and is made for the purpose of changing the effective date of Amendment 4 to General Sugar Quota Regulations, Series 10, No. 1, and to prorate among the foreign countries other than Cuba and the Republic of the Philippines that part of the prorations of the basic quota to such foreign countries remaining unfilled on September 1. This amendment also reallots to certain foreign countries the unfilled portions of the Philippine deficit heretofore allotted to other foreign countries.

Among other things, Amendment 4, which was published in the FEDERAL REGISTER on August 12, 1948, revised the basic quota for foreign countries other than Cuba and the Republic of the Philippines. This change in such quota resulted from the revision of the determination of sugar consumption requirements made by the Secretary of Agriculture on July 26, 1948. At the same time the proration of such basic quota among the foreign countries was also revised. Section 204 (b) of the act provides that if on the first day of September in any calendar year any part or all of any such proration to a foreign country has not been filled the Secretary may revise the prorations and allot the unfilled portions to those foreign countries which have filled their prorations by such date. In order to accomplish the objectives of the act, particularly those relating to consumer protection and the promotion of export trade, it is deemed necessary to reallocate the unfilled prorations of the quota based on the revised estimate of consumption made July 26, 1948. To do this, such revised prorations must be made effective before September 1. Accordingly, it is hereby found that compliance with the effective date requirement of the Administrative Procedure Act is impracticable and contrary to the public interest and Amendment 4 shall become effective on the date of its publication in the FEDERAL REGISTER.

This amendment revises the prorations to foreign countries other than Cuba and the Republic of the Philippines of the basic quota for such foreign countries and reallots to certain foreign countries the unfilled prorations of the Philippine deficit allotted to other foreign countries other than Cuba. In order to afford affected countries adequate opportunity to ship the additional sugar authorized by this amendment, and thereby protect the interest of consumers, it is essential that the revised prorations be made effective immediately. It should be noted that the Act accords to each country the right to import the amount of its basic proration by providing that no reduction therein shall be made by reason of a determination under section 204 (b). Therefore, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and the amendments herein made shall become effective on the date of their publication in the FEDERAL REGISTER.

General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133) as amended (13 F. R. 1303, 3109, 4009, 4660) are hereby further amended as follows:

1. The effective date of Amendment 4 to these regulations is hereby changed to August 12, 1948.

2. Section 821.5 is amended by adding thereto new paragraphs (g) and (h) as follows:

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

§ 821.5 *Determination and proration of area deficits.* * * *

(g) *Deficit in prorations of foreign countries other than Cuba and the Republic of the Philippines.* It is hereby determined, pursuant to section 204 (b) of the act, that by September 1, 1948, unfilled prorations to foreign countries of the quota for foreign countries other than Cuba and the Republic of the Phil-

ippines established under section 202 (c) of the act amounted to 13,795,912 pounds of sugar and that the Dominican Republic and the Republics of Haiti, Mexico, Peru and El Salvador had filled their prorations of such quota by September 1, 1948.

(h) *Allotment of unfilled prorations of quota for foreign countries other than Cuba and the Republic of the Philippines.* An amount of sugar equal to the unfilled prorations to foreign countries determined in paragraph (g) of this section is hereby prorated, pursuant to subsections (b) and (d) of section 204 of the act as follows:

Country:	Additional allotments in pounds, raw value
Dominican Republic	2,387,668
Haiti, Republic of	329,986
Mexico	2,159,731
Peru	3,979,435
Salvador	2,939,092
	11,795,912
Unallotted reserve	2,000,000
	13,795,912

3. Section 821.6 (b) is changed to read:

§ 821.6 *Proration of quota for foreign countries other than Cuba and the Republic of the Philippines.* * * *

(b) *Additional prorations.* An amount of sugar equal to that part of the deficit prorated to foreign countries other than Cuba and the Republic of the Philippines under paragraph (d) of § 821.5 is hereby prorated, pursuant to subsections (a) and (d) of section 204 of the act, as follows:

Country:	Additional allotments in pounds, raw value
Dominican Republic	20,989,663
Haiti, Republic of	2,538,744
Mexico	8,135,056
Peru	34,932,637
Salvador	3,553,870
Subtotal	70,200,000
Unallotted Reserve	4,000,000
	74,200,000

Statement of bases and considerations. As of September 1, 1948, the quota for foreign countries other than Cuba and the Republic of the Philippines, established pursuant to section 202 (c) of the act, equaled 53,040,000 pounds of sugar, raw value. On the same date the share of the 1948 Philippine deficit accruing to foreign countries other than Cuba and the Republic of the Philippines, pursuant to section 204 (a) of the act, equaled 74,200,000 pounds of sugar, raw value.

Section 204 (b) of the act provides that if, on the first day of September in any calendar year, any part or all of the proration to any foreign country of the quota for foreign countries other than Cuba and the Republic of the Philippines established under the provisions of section 202 (c) has not been filled, the Secretary may revise the proration of such quota among such foreign countries by allotting an amount of sugar equal to the unfilled proration to those countries which have filled their quotas by such date. Section 204 (c) of the act provides that the quota for any domestic area, the Republic of the Philippines, Cuba, or other foreign countries as established under the provisions of section 202 shall not be reduced by reason of any such determination of a deficit.

The Dominican Republic, the Republics of Haiti, Mexico, Peru, and El Salvador are the only foreign countries that have filled their proration of the basic quota for foreign countries other than Cuba and the Republic of the Philippines, established pursuant to section 202 (c) of the act, as of September 1, 1948. Therefore, pursuant to section 204 (b) and section 204 (d) of the act, the unfilled portions of the prorations for all other foreign countries have been prorated to the five foreign countries mentioned above on the basis of the proration now in effect with the exception of 2,000,000 pounds of sugar held in an unallotted reserve for future contingencies.

The Dominican Republic and the Republics of Haiti and Peru are the only foreign countries that have substantially filled their prorations of the Philippine deficit as of September 1, 1948, and, according to trade sources, are the only foreign countries that appear likely to fill the additional prorations set forth in these regulations before the end of the calendar year. Advice from trade sources also indicates that the Republic of Mexico expects to fill all or a major portion of its current unfilled balance of the Philippine deficit during the remaining months of 1948. Therefore, in order to assure the filling of quotas so as to have available sufficient sugar to meet the requirements of consumers in the continental United States, allotments of the Philippine deficit to foreign countries are herein revised. Section 204 (d) gives the Secretary of Agriculture authority to allot the Philippine deficit among foreign countries on such basis as he shall determine. The Philippine deficit previously prorated to Mexico has not been changed. The unfilled balances of the Philippine deficit of all other foreign countries other than Cuba and the Republic of the Philippines have been prorated to the Dominican Republic, Haiti, and Peru on the basis of the prorations now in effect, with the exception that 4,000,000 pounds have been held in an unallotted reserve for future contingencies.

Although the unfilled portions of the prorations which each country received pursuant to section 202 (c) of the act have been prorated to those countries that had filled their prorations as of September 1, 1948, the existing prorations for such countries in effect on that date are not reduced by reason of a deficit having been determined.

After giving effect to the changes set forth in General Sugar Quota Regulations, Series 10, No. 1, and Amendments 1 to 6 thereto, the current sugar quotas in terms of short tons, raw value, for foreign countries other than Cuba and the Republic of the Philippines are as follows:

REALLOTMENT OF BASIC PRORATIONS AND PHILIPPINE DEFICIT TO FOREIGN COUNTRIES OTHER THAN CUBA AND THE PHILIPPINES (SEPT. 1, 1948) [1]

	Basic proration, Sept. 1, 1948	Adjusted basic proration, Sept. 1, 1948 [2]	Adjusted allotment of Philippine deficit Sept. 1, 1948	Total adjusted proration, Sept. 1, 1948
Belgium	312,001	0	0	0
Canada	109,000	0	0	0
China and Hong Kong	000,001	0	0	0
Czechoslovakia	200,722	0	0	0
Dominican Republic	7,004,001	9,472,004	20,989,663	30,461,667
Dutch East Indies	224,000	0	0	0
Guatemala	000,787	0	0	0
Haiti, Republic of	970,037	1,309,073	2,538,744	3,847,817
Honduras	3,000,000	0	0	0
Mexico	0,428,034	8,567,705	8,135,056	16,702,821
Netherlands	231,471	0	0	0
Nicaragua	10,829,471	[3] 4,215,000	0	4,215,000
Peru	11,807,192	15,720,027	34,932,637	50,760,294
Salvadore	8,729,403	11,009,031	[3] 3,553,870	15,213,401
United Kingdom	972,000	0	0	0
Venezuela	000,037	0	0	0
Other countries	43,000	0	0	0
Subtotal	72,240,000	51,040,000	70,200,000	121,240,000
Unallotted reserve	800,000	2,000,000	4,000,000	6,000,000
Total	53,040,000	53,040,000	74,200,000	127,240,000

[1] Based on charges against quota through Sept. 1, 1948.
[2] By reason of section 204 (c) of the act each individual country retains its basic proration of the quota even though it may not have filled such proration by Sept. 1.

Done at Washington, D. C., this 1st day of September 1948.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-8036; Filed, Sept. 7, 1948; 8:46 a. m.]

PART 821—SUGAR QUOTAS

DECISION OF THE SECRETARY OF AGRICULTURE ON THE ALLOTMENT OF THE 1948 SUGAR QUOTAS FOR PUERTO RICO

Basis and purpose. Section 205 (a) of the Sugar Act of 1948 (hereinafter called the "act") requires the Secretary of Agriculture to allot a quota whenever he

finds that the allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar, or (4) to afford all interested persons an equitable opportunity to market sugar or liquid sugar within the quota for the area.

On May 10, 1948, the Secretary found that the allotment of the 1948 sugar quota for Puerto Rico for consumption in the continental United States and the 1948 sugar quota for local consumption in Puerto Rico was necessary to prevent disorderly marketing and importation of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States and Puerto Rico, respectively, and, in accordance with the applicable rules of practice and procedure, issued a notice of a public hearing for the purpose of receiving evidence to enable him to make a fair, efficient, and equitable distribution of such quotas. The hearing was held at the time and place specified in the notice.

The finding that allotments were necessary was based on the fact that the estimated quantity of Puerto Rican sugar which would be available for marketing in 1948 exceeded by a substantial amount the combined mainland and local quotas. Current production data, however, reveal that the total quantity of Puerto Rican sugar which will be available for marketing in 1948 is approximately 1,108,000 short tons, raw value, which is about 26,000 short tons less than the total quantity estimated at the time of the issuance of notice of the hearing. In addition, on July 12, 1948 (13 F. R. 4009) the Secretary of Agriculture found that Hawaii and the mainland cane sugar area will be unable to market the quotas for such areas and determined deficits therefor. The consequent proration of these deficits in accordance with the provisions of section 204 (a) of the act increased the 1948 continental sugar quota for Puerto Rico by 48,302 short tons, raw value. In view of the current data relating to the 1947–1948 sugar crop and the increased quota resulting from the proration of deficits in other sugar producing areas, it now appears that the total quantity of Puerto Rican sugar which will be available for marketing in 1948 will exceed the sum of the mainland and local quotas by approximately 26,000 short tons, raw value. Therefore, it is not anticipated that such excess will cause disorderly marketing and importation of such sugar or deny all interested persons an equitable opportunity to market such sugar in continental United States and Puerto Rico. Accordingly, pursuant to the authority conferred upon the Secretary of Agriculture by the act, and on the basis of the foregoing, the following determination is hereby issued:

§ 821.52 *Allotment of 1948 sugar quotas for Puerto Rico unnecessary.* It is hereby found and determined that the allotment of the 1948 sugar quotas for Puerto Rico is not necessary to prevent disorderly marketing and importation of such sugar or to enable all interested persons an equitable opportunity to market such sugar in the continental United States and Puerto Rico or otherwise to accomplish the purposes of the Sugar Act of 1948. (60 Stat. 237; 61 Stat. 922)

Done at Washington, D. C., this 1st day of September 1948.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-8037; Filed, Sept. 7, 1948; 8:46 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs. Serial No. SR-326]

PART 40—AIR CARRIER OPERATING CERTIFICATION

PART 61—SCHEDULED AIR CARRIER RULES

ISSUANCE OF AIR CARRIER OPERATING CERTIFICATES TO PERSONS HOLDING TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 31st day of August 1948.

Special Civil Air Regulation Serial Number 396 which authorizes the Administrator to issue an air carrier operating certificate, or amendments thereto, to an air carrier holding a temporary certificate of public convenience and necessity, issued by the Board, will terminate August 31, 1948.

The purpose of this proposed Special Civil Air Regulation is to continue authorization for the issuance or amendment of air carrier operating certificates under conditions specified herein to those scheduled air carriers holding temporary certificates of public convenience and necessity.

It is anticipated that the continuation of this authorization for one year will provide sufficient time for incorporation of adequate rules in the Civil Air Regulations to govern these operations.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. Since this regulation imposes no additional burden on any person, it may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation effective September 1, 1948:

An air carrier operating certificate, or amendments thereto, may be issued by the Administrator to an air carrier holding a temporary certificate of public convenience and necessity issued by the Board, authorizing such carrier to engage in scheduled air carrier operations which do not fully meet the certification and operation requirements of Parts 40 and 61 of the Civil Air Regulations, if the Administrator finds that any of such requirements can be omitted or modified without adversely affecting safety. Such omissions or modifications, when approved by the Administrator shall be listed in the air carrier operating certificate, and the Administrator shall promptly notify the Board of the omissions or modifications approved by him and the reasons therefor.

This regulation supersedes Special Civil Air Regulation Serial Number 396 and shall terminate August 31, 1949.

(Secs. 205 (a) 601, 604, 52 Stat. 984, 1007, 1010; 49 U. S. C. 425 (a) 551, 554)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-8046; Filed, Sept. 7, 1948; 8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5215]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HAROLD S. SCHWARTZ ET AL.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (i) *Advertising falsely or misleadingly—Free Goods or service:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Usual as reduced, special, etc.,* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Domestic product as imported.* § 3.6 (dd) *Advertising falsely or misleadingly—Special or limited offers:* § 3.6 (gg) *Advertising falsely or misleadingly—Value:* § 3.72 (c) *Offering unfair, improper and deceptive inducements to purchase or deal—Free Goods:* § 3.72 (g 10) *Offering unfair, improper and deceptive inducements to purchase or deal—Limited offers or supply.* In connection with the offering for sale, sale, and distribution in commerce, of various types of household merchandise, wearing apparel, novelties, or other merchandise, (1) representing that any service or commodity for which a charge is made directly or indirectly, or the cost of which is included in the purchase price of any other service or commodity, is free, either by the use of the term "free" or by any other term or terms of similar import or meaning, (2) representing that the customary or usual price for any kind or type of merchandise or commodity is a special, reduced, or cut-rate price; that an offer of said merchandise or commodity is limited in point of time when the offer is not in fact so limited; or that said merchandise or commodity offered is of a value in excess of the usual or customary price thereof; (3) using the words "grain leather" or any other word or words of similar import or meaning, either alone or in combination with any other word or words, as a designation for, as descriptive of, or in connection with a product not composed wholly of the outer or

hair-side of a skin or hide, except that where such a product is made in part of grain leather this provision shall not prevent a true description of such part or portion, provided such description is clearly limited thereto; (4) using the numeral "10" or any variation thereof, either as a symbol or word, to designate, describe, or refer to a telescope or other instrument which does not in fact magnify objects ten times; or otherwise attributing to any instrument a magnifying power in excess of that possessed by its lenses; (5) using the words "weather forecaster" or any other word or words of similar import or meaning, either alone or in conjunction with any other word or words to describe, designate, or refer to any instrument which does not provide a dependable means of weather forecasting; or, (6) using the word "Swiss" or any other word or words of similar import or meaning, either alone or in conjunction with any other word or words, to designate, describe, or refer to a product not in fact made in, or imported from, Switzerland; or directly or impliedly representing in any manner that a domestic product is of foreign origin or manufacture; prohibited. (Sec. 5, 38 Stat. 719 as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Harold S. Schwartz et al., trading as Illinois Merchandise Mart, Docket 5245, July 21, 1948]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 21st day of July A. D. 1948.

In the Matter of Harold S. Schwartz, Jerome G. Becker Louis S. Schwartz, and Louis C. Schnitz, Copartners, Trading as Illinois Merchandise Mart

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony and other evidence introduced before a trial examiner of the Commission theretofore duly designated by it, recommended decision of the trial examiner, exception thereto, and brief in support of the complaint (no brief having been filed by the respondents and oral argument not having been requested) and the Commission having made its findings as to the facts and conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Harold S. Schwartz, Jerome G. Becker, Louis S. Schwartz, and Louis C. Schnitz, individually or as copartners trading as Illinois Merchandise Mart or under any other name or names, their agents, representatives, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution in commerce as "commerce" is defined in the Federal Trade Commission Act, of various types of household merchandise, wearing apparel, novelties, or other merchandise, do forthwith cease and desist from directly or indirectly:

1. Representing that any service or commodity for which a charge is made directly or indirectly, or the cost of which is included in the purchase price of any other service or commodity, is free, either by the use of the term "free" or by any other term or terms of similar import or meaning.

2. Representing that the customary or usual price for any kind or type of merchandise or commodity is a special, reduced, or cut-rate price; that an offer of said merchandise or commodity is limited in point of time when the offer is not in fact so limited; or that said merchandise or commodity offered is of a value in excess of the usual or customary price thereof.

3. Using the words "grain leather" or any other word or words of similar import or meaning, either alone or in combination with any other word or words, as a designation for, as descriptive of, or in connection with a product not composed wholly of the outer or hair-side of a skin or hide, except that where such a product is made in part of grain leather this provision shall not prevent a true description of such part or portion, provided such description is clearly limited thereto.

4. Using the numeral "10" or any variation thereof, either as a symbol or word, to designate, describe, or refer to a telescope or other instrument which does not in fact magnify objects ten times or otherwise attributing to any instrument a magnifying power in excess of that possessed by its lenses.

5. Using the words "weather forecaster" or any other word or words of similar import or meaning, either alone or in conjunction with any other word or words to describe, designate, or refer to any instrument which does not provide a dependable means of weather forecasting.

6. Using the word "Swiss" or any other word or words of similar import or meaning, either alone or in conjunction with any other word or words, to designate, describe, or refer to a product not in fact made in, or imported from, Switzerland; or directly or impliedly representing in any manner that a domestic product is of foreign origin or manufacture.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with it.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 48-8027; Filed, Sept. 7, 1948; 8:46 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 200—ORGANIZATION OF COMMISSION; SUBMITTALS AND REQUESTS

CROSS REFERENCE: For order withdrawing from the Code of Federal Regulations those regulations heretofore appearing in Part 200 of this chapter, future amendments of which will appear in the Notices section, see Federal Register Document 48-8031 in the Notices section, *infra.* This document also amends former Part 200 by describing additional duties of trial examiners.

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

PART 500—GENERAL

MISCELLANEOUS AMENDMENTS

Section 500.22 of Subpart C is amended effective September 1, 1948, by:

1. Deleting opposite the State of Louisiana, in the column headed *City* "Shreveport'" and substituting therefor "Shreveport"

2. Deleting in the column headed *Address* "Bossier City Bank and Trust Company, Bossier City" and substituting therefor "205 Milam Street"

3. Deleting in the column headed *jurisdiction* "(See New Orleans)" and substituting therefor "Counties north of Vernon, Allen, Evangeline, St. Landry and Pointe Coupee"

(Sec. 1, 48 Stat. 1246; 12 U. S. C. and Sup. 1702 and Reorg. Plan No. 3 of 1947, effective July 27, 1947)

[SEAL] R. WINTON ELLIOTT, *Assistant Commissioner.*

AUGUST 31, 1948.

[F. R. Doc. 48-8025; Filed, Sept. 7, 1948; 8:50 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5652]

PART 180—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

ACTION BY CARRIER AND BY COLLECTOR OF CUSTOMS AT PORT OF ARRIVAL

1. On June 29, 1948, notice of proposed rule making regarding shipment of liquors and articles from Puerto Rico to the United States was published in the FEDERAL REGISTER (13 F. R. 3589).

2. No objections to the rules having been received, Regulations 24, approved June 16, 1941, are hereby changed by adding § 180.48a and amending § 180.49.

§ 180.48a *Action by carrier.* The carrier of the merchandise specified on the Form 487-B shall, at the time of unlading at the port of arrival in the United States, segregate and arrange the cases of liquors or articles for convenient customs examination and will assume any expense incurred in connection therewith. (Secs. 3360 and 4041, I. R. C.)

§ 180.49 *Action by collector of customs at port of arrival*—(a) *Inspection.* Upon receipt of Form 487-B, application and permit to ship tax-paid liquors or articles to the United States, bearing the sworn affidavit of the shipper and the certification of the insular internal revenue agent that all the internal revenue taxes due no the liquors or articles cov-

ered thereby have been paid and the copies of Form 487–B from the collector of customs in Puerto Rico, the collector of customs at the port of arrival will inspect the merchandise to determine whether the quantity specified on the Form 487–B is contained in the shipment. He will execute his certificate on Part 5 of each copy of Form 487–B received and indicate thereon any exceptions found at the time of discharge. The statement of exceptions should show the serial number of each case or other shipping container which sustained a loss, the quantity of liquor reported shipped in such container and the quantity lost. Losses occurring as the result of missing bottles, cases or other containers should be listed separately from empty containers and containers which have sustained losses due to breakage. Where the statement is made on the basis of bottles missing or lost due to other cause, the number and size of bottles lost should be shown. If the collector finds that the full amount of the taxes due has not been paid, he will require the difference due to be paid prior to release of the merchandise in accordance with the applicable provisions of the regulations in this part. When the proper inspection of the merchandise has been effected and any additional taxes found to be due on the liquors or articles collected, the merchandise will be released.

(b) *Disposition of forms.* Two copies of the Form 487–B will be forwarded to the deputy collector of internal revenue at San Juan, Puerto Rico, and one copy of the form will be retained by the collector of customs and be available for inspection by internal revenue officers. If the taxpayer files a claim for refund of tax on losses, the deputy collector of internal revenue will forward to the Commissioner a copy of the completed Form 487–B with the claim for refund. (Secs. 3360 and 4041, I. R. C.)

3. This Treasury decision shall be effective on the 31st day after the date of its publication in the FEDERAL REGISTER.

(Secs. 3360 and 4041 of the Internal Revenue Code (26 U. S. C. A. 3360 and 4041))

GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.
FRANK DOW,
Acting Commissioner of Customs.

Approved: September 1, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48–8045; Filed; Sept. 7, 1948; 8:52 a. m.]

[T. D. 5651]

PART 181—STILLS AND DISTILLING APPARATUS

MISCELLANEOUS AMENDMENTS

1. On June 10, 1948, notice of proposed rule making regarding the tax-free exportation of distilling apparatus was published in the FEDERAL REGISTER (13 F R. 3120)

2. No objections to the rules having been received, the following added §§ 181.28, 181.29, 181.30, 181.31 and 181.32 and the amendment of §§ 181.13 (g) and 181.14 (a) of Regulations 23, approved March 30, 1940 (26 CFR, Part 181) are hereby adopted.

§ 181.13 *Taxable status of stills.*
* * *

(g) *Exportation.* Stills or worms or condensers intended for purposes other than distilling as defined in § 181.12 may be removed without payment of the commodity tax for export by the manufacturer, or dealer, under the procedure prescribed by §§ 181.28, 181.29, 181.30, 181.31 and 181.32. (Sec. 3791, I. R. C.)

§ 181.14 *Procedure for removal for domestic use*—(a) *Application and permit for removal.* No still, boiler (doubler or pot still) worm, condenser, or other distilling apparatus, shall be removed from the premises of the manufacturer, or dealer, as the case may be, for delivery to a user, or for his own use, until the collector of the district in which the manufacturer or vendor is located has received from the manufacturer or vendor an application on Form 110, in triplicate, for permission to remove the distilling apparatus, and permit on such form has been received from such collector to remove the same. Such application shall disclose the name and address of the manufacturer or vendor, the approximate date the apparatus is to be removed, the name and address of the person by whom the apparatus is to be used, the purpose for which it is to be used, the type and kind of apparatus, its capacity, the manufacturer's serial number of the apparatus, and, if the apparatus is taxable, the serial number of the manufacturer's special (occupational) tax stamp and the serial number of the special (commodity) tax stamp for the apparatus. The collector issuing the removal permit shall furnish a copy of such permit to the district supervisor in whose district the apparatus is to be set up, registered and used. No distilling apparatus may be set up or used for distilling as defined by § 181.12 without application to and permit from the district supervisor in whose district the apparatus is to be used as provided in § 181.14 (b) (See §§ 181.17 to 181.27, inclusive, relative to exportation of stills with benefit of drawback, and §§ 181.28 to 181.32, inclusive, relative to exportation free of tax.) (Sec. 3791, I. R. C.)

Article VI—Exportation of Distilling Apparatus Free of Tax

§ 181.28 *Application and entry, Form 1960.* The exporter will execute and file with the collector of internal revenue an application and entry on Form 1690, in quadruplicate, when he desires to remove for exportation, without payment of the commodity tax, a still, worm or condenser intended for purposes other than distilling. Each application, Form 1690, must be numbered serially commencing with number 1 and continuing in regular sequence for all applications thereafter. Parts 1 and 2 of each copy will be fully executed. A statement by the person who intends to use the distilling apparatus other than for distilling must be filed by the exporter in support of the application. The statement must show the purchaser's name and address, the purpose for which the distilling apparatus will be used, the manufacturer's serial number of the distilling apparatus and the manufacturer's name and address. The serial number and the manufacturer's name and address may be entered on the statement by the exporter. If all required information has been furnished by the exporter, the collector of internal revenue will approve each copy of the application and entry, retain the original and return three copies to the exporter. The purchaser's statement will be retained by the collector. Upon receipt of the approved copies of the application and entry, the exporter may remove the still, worm or condenser described therein for export free of tax. If evidence of exportation (as hereinafter prescribed) is not received by the collector of internal revenue in due course, an appropriate inquiry will be made. (Sec. 3791, I. R. C.)

§ 181.29 *Marking of stills, worms or condensers.* Stills, worms or condensers intended for exportation free of tax shall have branded or stamped thereon, in a conspicuous place, the words "For export," followed by the serial number of the article and the manufacturer's name. Where such articles are manufactured from metal plates, the words "For export," with the serial number of the article and the manufacturer's name directly thereunder, will be stamped (in letters and figures which must, in no case, be less than one-half inch in height) thereon with a suitable die, or otherwise permanently affixed to each article. Where the article is constructed of wood, the words "For export," the serial number of the article and the manufacturer's name will be branded thereon. If the article is to be exported in a shipping container, the foregoing marks must also be shown on such container in a manner which will enable ready identification by customs officers. (Sec. 3791, I. R. C.)

§ 181.30 *Delivery of shipment; bill of lading.* The exporter, upon receipt of the approved copies of the application and entry, will deliver the still, worm or condenser either to the carrier or directly for customs inspection. Two copies of the Form 1690 will be transmitted to the collector of customs. A copy of the export bill of lading shall be forwarded and filed with the collector of customs. In case of exportation through a border port to foreign contiguous territory, the bill of lading will cover transportation to destination and must show the routing, particularly the carrier which will deliver the shipment for customs inspection at the border; also, that the shipment was sent in care of the collector or deputy collector of customs at the border port. (Sec. 3791, I. R. C.)

§ 181.31 *Inspection and lading.* The collector of customs to whom the copies of Form 1690 are transmitted will fill in on each copy of the form the order for inspection and lading. The inspector of customs will carefully examine the shipment described in the entry and he will, if he finds it to be otherwise than described, make a special report thereon. After having complied with the order of inspection and after the distilling ap-

paratus has been duly laden on board the exporting vessel or other vehicle the inspector will complete and sign the certificate of inspection and lading. (Sec. 3791, I. R. C.)

§ 181.32 *Certification of exportation.* After inspection, lading and clearance for a foreign port of the vessel or other vehicle on which the distilling apparatus described in the entry is laden, and after receipt of the export or through bill of lading, the collector of customs will execute the certificate of exportation on each copy of the entry, Form 1690. The collector of customs will retain one copy for his entry record and transmit the remaining copy of the Form 1690 to the collector of internal revenue who approved the form. (Sec. 3791, I. R. C.)

3. This Treasury decision shall be effective on the 31st day after the date of its publication in the FEDERAL REGISTER.

(Sec. 3791 of the Internal Revenue Code (26 U. S. C. A. 3791))

GEO J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: September 1, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-8044; Filed, Sept. 7, 1948; 8:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order No. 2467]

PART 4—DELEGATIONS OF AUTHORITY

BUREAU OF LAND MANAGEMENT; DELEGATIONS TO DIRECTOR IN SPECIFIED MATTERS

Section 4.277 is amended to read as follows:

§ 4.277 *Authority to designate employees to perform the functions of Managers.* The Director may authorize any qualified employee of the Bureau of Land Management to perform the functions of the manager of a district land and survey office in case of the death, resignation, absence, or sickness of the manager. However, such employee shall not decide or dispose of a contest or protest. He may not perform the functions of manager until he has filed a bond in such penal sum as the Director may fix and the bond has been accepted by the Director. Each employee authorized to act under this section shall sign all documents and other papers under his pay roll title and not as manager.

Each such employee shall, by memoranda, advise his regional administrator of the beginning and of the termination of a period during which he performs the functions of manager. Copies of such memoranda shall be sent to the Director.

The authority conferred by this section may be redelegated by the Director to the regional administrators by an order published in the FEDERAL REGISTER. (R. S. 161, 5 U. S. C. 22; Reorganization Plan No. 3 of 1946; 43 CFR 4.250)

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

AUGUST 30, 1948.

[F. R. Doc. 48-8022; Filed, Sept. 7, 1948; 8:50 a. m.]

Chapter I—Bureau of Land Management, Department of the Interior

[Order No. 331]

PART 50—ORGANIZATION AND PROCEDURE

DELEGATIONS TO REGIONAL ADMINISTRATORS AND MANAGERS

AUGUST 31, 1948.

1. New subparagraphs are added to paragraphs (a) and (b) of § 50.451, as follows:

§ 50.451 *Functions with respect to various statutes.*[1] (a) * * *

(7) Approval of construction in advance of the issuance of a permit or easement in right-of-way cases, in accordance with 43 CFR, 244.10, 245.8, as amended.

(8) Applications to use public lands under right-of-way permits for tramroads under the act of January 21, 1895 (28 Stat. 635; 43 U. S. C. 956), and the issuance, assignment, modification or cancellation of such permits.

(9) Applications to use public lands under right-of-way permits or easements authorized by the following acts, and the issuance, assignment, modification, cancellation, or revocation of such permits or easements: *Provided,* That such actions involving lands within national parks, or any reservations of the United States for the use of or administered by the National Park Service, the Fish and Wildlife Service, or any agency outside the Department of the Interior, may only be taken after the consent of the head of the bureau or agency administering the reservation has been obtained.

(i) Under the act of February 15, 1901 (31 Stat. 790; 43 U. S. C. 959, 16 U. S. C. 79).

(ii) Under the act of March 4, 1911 (36 Stat. 1235, 1253–54; 43 U. S. C. 961)

(iii) Under section 4 (P) of the act of December 5, 1924 (43 Stat. 704), for the construction, operation or maintenance of main transmission lines to transmit electrical energy, as provided by the Boulder Canyon Act of December 21, 1928 (45 Stat. 1056, 1061).

(10) Approval of applications for rights-of-way and the issuance, modification and assignment of such easements, and cancellations on relinquishments, or when authorized as a result of forfeiture proceedings, under the following acts: *Provided,* That such actions involving lands within national parks, or any reservations of the United States for the use of or administered by the National Park Service, the Fish and Wildlife Service, or any agency outside the Department of the Interior, may only be taken after the consent of the head of the bureau or agency administering the reservation has been obtained.

(i) Act of March 3, 1891 (26 Stat. 1101) as amended by the act of March 4, 1917 (39 Stat. 1197) act of March 1, 1921 (41 Stat. 1194) and the act of May 28, 1926 (44 Stat. 668; 43 U. S. C. 946–950) for right-of-way for canals, laterals, and reservoir sites for irrigation and drainage purposes, including the right to materials for construction thereof, and permits or easements for caretaker's building sites on adjoining acreage.

(ii) Section 17 of the Federal Aid Highway Act of November 9, 1921 (42 Stat. 216; 23 U. S. C. 18) for right-of-way for highways and road building material sites.

(iii) Act of June 8, 1938 (52 Stat. 633), as amended (23 U. S. C. 10b) for right-of-way for roadside and landscape development under the Federal Aid Highway Act.

(iv) Act of November 19, 1941 (55 Stat. 767; 23 U. S. C., Sup., 108) for right-of-way for flight strips under the Federal Aid Highway Act.

(v) Approval of rights-of-way for railroad purposes under the act of March 18, 1875 (18 Stat. 482; 43 U. S. C. 934).

(vi) Approval of rights-of-way under section 28 of the act of February 25, 1920, as amended (41 Stat. 437, 449; 30 U. S. C. 185), and of modifications and partial or entire relinquishments of such rights-of-way.

(24) Applications for mineral spring leases under the act of March 3, 1925 (43 Stat. 1133; 43 U. S. C. 971) the issuance of such leases, and assignments, modifications and cancellations relating thereto.

(34) Applications for reservoir sites for water for livestock under the act of January 13, 1897 (29 Stat. 484) as amended by the act of March 3, 1923 (42 Stat. 1437; 43 U. S. C. 952–955)

(35) The issuance of special land use permits pursuant to 43 CFR, Part 253, and § 115.150, including such permits to Federal agencies, and to State agencies and political subdivisions.

(43) Applications and permits for the development of underground water in Nevada under 43 CFR, Part 234.

(b) The regional administrators may cause to be classified under section 7 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269, 1272) as amended by the act of June 26, 1936 (49 Stat. 1976, 43 U. S. C. 315f), or pursuant to other laws, land as being suitable for the following types of disposition, without obtaining the approval of the Director, unless the Director in any particular matter determines otherwise, subject in any event to an appeal to the Director according to the rules of practice, 43 CFR, Part 221:

(7) Under 43 CFR, Part 234, relating to the development of underground water in Nevada.

2. Paragraph (a) of § 50.501 is amended and new subparagraphs are added to it as follows:

[1] The numbers of the subparagraphs in this section correspond with the numbers of the related subparagraphs in 43 CFR 4.275 (a) and (b).

§ 50.501 *Functions with respect to various statutes.*[2] (a) The managers may act in relation to the following classes of matters in accordance with applicable regulations and procedures, without obtaining the approval of the Director or Regional Administrator; unless the Director or Regional Administrator in any particular matter determines otherwise, subject in any event to an appeal to the Director and from his decision to the Secretary, in accordance with the rules of practice (43 CFR, Part 221)

(4) Applications to lease public lands in Alaska for fur farms under the act of July 3, 1926 (44 Stat. 821, 48 U. S. C. 360, 361) and the issuance, assignment, modification or cancellation of such leases.

(5) Applications to lease public lands in Alaska for grazing purposes under the act of March 4, 1927 (44 Stat. 1452; 48 U. S. C. 471, 471a–471c) and the issuance, assignment, modification or cancellation of such leases.

(7) Approval of construction in advance of the issuance of a permit or easement in right-of-way cases, in accordance with 43 CFR, 244.10, 245.8, as amended.

(8) Applications to use public lands under right-of-way permits for tramroads under the act of January 21, 1895 (28 Stat. 635; 43 U. S. C. 956) and the issuance, assignment, modification or cancellation of such permits.

(9) Applications to use public lands under right-of-way permits or easements authorized by the following acts, and the issuance, assignment, modification, cancellation, or revocation of such permits or easements: *Provided,* That such actions involving lands within national parks, or any reservations of the United States for use of or administered by the National Park Service, the Fish and Wildlife Service, or any agency outside the Department of the Interior, may only be taken after the consent of the head of the bureau or agency administering the reservation has been obtained.

(i) Under the act of February 15, 1901 (31 Stat. 790; 43 U. S. C. 959, 16 U. S. C. 79)

(ii) Under the act of March 4, 1911 (36 Stat. 1235, 1253–54; 43 U. S. C. 961)

(iii) Under section 4 (p) of the act of December 5, 1924 (43 Stat. 704) for the construction, operation or maintenance of main transmission lines to transmit electrical energy, as provided by the Boulder Canyon Act of December 21, 1928 (45 Stat. 1056, 1061)

(10) Approval of applications for rights-of-way and the issuance, modification and assignment of such easements, and cancellations on relinquishments, or when authorized as a result of forfeiture proceedings, under the following acts: *Provided,* That such actions involving lands within national parks, or any reservations of the United States for the use of or administered by the National Park Service, the Fish and Wildlife Service, or any agency outside the Department of the Interior, may only be taken after the consent of the head of the bureau or agency administering the reservation has been obtained.

(i) Act of March 3, 1891 (26 Stat. 1101) as amended by the act of March 4, 1917 (39 Stat. 1197) act of March 1, 1921 (41 Stat. 1194) and the act of May 28, 1926 (44 Stat. 668; 43 U. S. C. 946–950) for right-of-way for canals, laterals, and reservoir sites for irrigation and drainage purposes, including the right to materials for construction thereof, and permits or easements for caretaker's building sites on adjoining acreage.

(ii) Section 17 of the Federal Aid Highway Act of November 9, 1921 (42 Stat. 216; 23 U. S. C. 18) for right-of-way for highways and road building material sites.

(iii) Act of June 8, 1938 (52 Stat. 633) as amended (23 U. S. C. 10b) for right-of-way for roadside and landscape development under the Federal Aid Highway Act.

(iv) Act of November 19, 1941 (55 Stat. 767; 23 U. S. C., Sup., 108) for right-of-way for flight strips under the Federal Aid Highway Act.

(v) Approval of rights-of-way for railroad purposes under the act of March 18, 1875 (18 Stat. 482; 43 U. S. C. 934)

(vi) Approval of rights-of-way under section 28 of the act of February 25, 1920, as amended (41 Stat. 437, 449; 30 U. S. C. 185) and of modifications and partial or entire relinquishments of such rights-of-way.

(24) Applications for mineral spring leases under the act of March 3, 1925 (43 Stat. 1133; 43 U. S. C. 971) the issuance of such leases, and assignments, modifications and cancellations relating thereto.

(34) Applications for reservoir sites for water for livestock under the act of January 13, 1897 (29 Stat. 484) as amended by the act of March 3, 1923 (42 Stat. 1437; 43 U. S. C. 952–955)

(48) Applications and permits for the development of underground water in Nevada under 43 CFR, part 234.

(43 CFR 4.275; R. S. 161, 453, 2478; 5 U. S. C. 22, 43 U. S. C. 2, 1201)

MARION CLAWSON,
Director

[F. R. Doc. 48-8021; Filed, Sept. 7, 1948; 8:49 a. m.]

[Circular No. 1694]

PART 251—AIRPORTS AND AVIATION FIELDS

USE FOR AIRPORT PURPOSES BY PUBLIC AGENCIES UNDER FEDERAL AIRPORT ACT OF MAY 13, 1946, OF LANDS UNDER JURISDICTION OF DEPARTMENT OF THE INTERIOR

Sec.

AUTHORITY: §§ 251.18 to 251.23, inclusive, issued under the authority contained R. S. 453, 2478, 43 U. S. C. sec. 2, 1201; 5 U. S. C. 485.

§ 251.18 *Statutory authority.* Section 16 of the Federal Airport Act of May 13, 1946[1] (60 Stat. 179, 49 U. S. C. sec. 1101) provides that whenever the Administrator of Civil Aeronautics determines that the use of any lands owned or controlled by the United States is reasonably necessary for carrying out a project under the act, or for the operation of any public airport, he shall file with the head of the Department or agency having control of such lands a request that such property interest therein as he may deem necessary be conveyed to the public agency sponsoring the project in question or owning or controlling the airport.

Upon receipt of the request from the Administrator of Civil Aeronautics, the head of the Department or agency having control of the lands in question is directed to determine whether the requested conveyance is inconsistent with the needs of the Department or agency and to notify the Administrator of his determination within a period of four months after receipt of the Administrator's request. Upon the determination of the head of the Department or agency that it is not so inconsistent, he is authorized and directed, with the approval of the President and the Attorney General of the United States, and without any expense to the United States, to perform any acts and to execute any instruments necessary to make the conveyance requested.

§ 251.19 *Definitions.* As used in the regulations in this part, unless the context requires otherwise, the following terms shall have the meaning indicated:

(a) "The act" means the Federal Airport Act of May 13, 1946 (60 Stat. 179, 49 U. S. C. sec. 1101)

(b) "Secretary" means the Secretary of the Interior or his duly authorized representative.

(c) "Director" means the Director of the Bureau of Land Management or his duly authorized representative.

(d) "Administrator" means the Administrator of Civil Aeronautics or his duly authorized representative.

(e) "Applicant" means any public agency as defined in 14 CFR 555.4, which, either individually or jointly with one or more other such public agencies, submits to the Administrator, an application requesting that public lands or interests therein, be transferred to such applicant under the Federal Airport Act.

(f) "Property interest" means the title to or any other interest in land or any easement through or other interest in air space.

(g) "Instrument of transfer" includes a patent, deed, lease or other instrument transferring a property interest.

§ 251.20 *Request by Administrator for transfer of property interest.* Each request by the Administrator in behalf of the applicant for the transfer of a property interest in public lands or other Federally owned lands under the jurisdiction of the Department of the Interior should be addressed to the Director,

[2] The numbers of the subparagraphs in this section correspond with the numbers of the related subparagraphs in 43 CFR 4.275 (a).

[1] The regulations of the Civil Aeronautics Administration under this act are found in 14 CFR, Part 555.

should be in duplicate, and should contain the following:

(a) A copy of the application filed by the requesting public agency with the Administrator.

(b) A description of the land, if surveyed, by legal subdivisions, specifying section, township, and range. Unsurveyed land should be described by metes and bounds with a tie to a corner of the public-land surveys if within two miles; otherwise a tie should be made to some prominent topographic feature and the approximate latitude and longitude should be given when practicable.

§ 251.21 *Action on the request.* The Secretary will determine whether the requested transfer is inconsistent with the needs of the Department or any agency thereof, and if it is not, the covenants, terms and conditions, if any, under which such transfer should be made. Any such conveyance will be made subject to valid existing rights of record, and to those disclosed as a result of posting, publication, or otherwise.

Ordinarily where the lands involved are situated within a national park or monument or within an Indian reservation the transfer will not be authorized.

§ 251.22 *Publication and posting required where fee title to public lands is to be transferred.* Before a transfer of fee title to public lands is made, the Bureau of Land Management will require the applicant to publish, at its own expense, in a newspaper of general circulation in the county in which the land is situated, a notice stating that a request has been made by the Administrator on behalf of the applicant (giving its name and address) to acquire title to public lands (describing them) under the act, for the purpose of carrying out a project under the act, or for the operation of a public airport, as the case may be, and that the purpose of the notice is to give persons claiming an interest in the land or having bona fide objections to the proposed transfer an opportunity to file with the Director, Washington 25, D. C., within 30 days after the date of the first publication, a protest, together with evidence that the protest has been served on the applicant. If the notice is published in a daily paper, the notice should be published for four consecutive weeks in the Wednesday issue, if a weekly, in four consecutive issues, and if a semi-weekly or tri-weekly, in any of the issues on the same day each week for four consecutive weeks. The notice will also be posted during the entire period of publication in the district land office, Bureau of Land Management, for the district in which the lands are situated, or if there is no district land office, in the office of the Director, Washington, D. C. No transfer will be made until proof of publication and posting of the notice has been filed with the Director.

§ 251.23 *Special provisions in the instrument of transfer.* Each instrument of transfer made hereunder of fee title or a lesser estate in the lands shall contain:

(a) The covenants, terms and conditions requested by the Administrator, as well as those required for the protection of the Department of the Interior or any agency thereof.

(b) A reservation to the United States of fissionable source materials pursuant to the act of August 1, 1946 (60 Stat. 755, 42 U. S. C. sec. 1801) where public lands are involved, and pursuant to Executive Order 9908 of December 5, 1947 (12 F. R. 8223-4) where non-public lands are involved.

MARION CLAWSON,
Director.

Approved: August 30, 1948.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 48-8029; Filed, Sept. 7, 1948; 8:49 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Ex Parte No. MC-37]

PART 170—COMMERCIAL ZONES

COMMERCIAL ZONES AND TERMINAL AREAS

Upon further consideration of the order entered on July 19, 1948, in connection with the second supplemental report in this proceeding and of petitions and statements filed by various parties and good cause therefor appearing: *It is ordered,* That:

The effective date of §§ 170.16, *Commercial zones determined generally, with exceptions,* 170.11, *Commercial zones of municipalities in New Jersey within 5 miles of New York, N. Y., determined,* and 170.12, *Commercial zones of municipalities in Westchester and Nassau Counties, N. Y.,* contained in order of the Commission dated July 19, 1948 (13 F. R. 4393), be, and it is hereby, postponed from September 1, 1948, to December 1, 1948.

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(49 Stat. 546; 49 U. S. C. 203 (b) (8))

Dated at Washington, D. C., this the 30th day of August A. D. 1948.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-8039; Filed, Sept. 7, 1948; 8:47 a. m.]

[Ex Parte No. MC-37]

PART 170—COMMERCIAL ZONES

COMMERCIAL ZONES AND TERMINAL AREAS

Upon further consideration of the order entered on July 20, 1948, in connection with the third supplemental report in this proceeding, and of petitions and statements filed by various parties and good cause therefor appearing: *It is ordered,* That:

The effective date of §§ 170.40 *Operating authority for service at a particular municipality,* 170.41, *Operating authority for service at a particular unincorporated community,* 170.42, *Terminal areas of motor carriers and freight forwarders at municipalities served,* 170.43, *Terminal areas of motor carriers and freight forwarders at unincorporated communities served,* contained in the order of the Commission of July 20, 1948, (13 F. R. 4446) relating to terminal areas and construction of operating authorities of motor carriers and freight forwarders, be, and it is hereby, postponed from October 1, 1948, to December 1, 1948.

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(49 Stat. 546, 54 Stat. 920, 56 Stat. 300; 49 U. S. C. 302 (c) 303 (b) (8))

Dated at Washington, D. C., this 30th day of August A. D. 1948.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-8038; Filed, Sept. 7, 1948; 8:47 a. m.]

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

SHIPMENTS OF CRANBERRIES

CROSS REFERENCE: For an exception to the provisions of § 500.72, see Part 520 of this chapter, *infra.*

[Gen. Permit ODT 18A, Rev. 20A]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS AND SPECIAL DIRECTIONS

SHIPMENTS OF CRANBERRIES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, as amended, Executive Order 9919, and General Order ODT 18A, Revised, as amended, it is hereby ordered, that:

§ 520.518 *Shipments of cranberries.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8323, 10016, 12320, 14172; 12 F. R. 1924, 2226; 13 F. R. 2971) or in Item 365 of Special Direction ODT 18A-2A, as amended (9 F. R. 118, 4247, 13093; 10 F. R. 2523, 3470, 14906; 11 F. R. 1353, 13793, 14114; 12 F. R. 8025; 13 F. R. 1331, 3208, 3763, 4151, 5074) any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting

of cranberries when such carload freight is loaded to a weight not less than the applicable tariff carload minimum weight.

This General Permit ODT 18A, Revised-20A shall become effective September 4, 1948, and shall expire October 31, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Pub. Laws 395, 606, 80th Cong., 50 U. S. C. App. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725, E. O. 9389, Oct. 18, 1943, 8 F R. 14183, E. O. 9729, May 23, 1946, 11 F R. 5641, E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Issued at Washington, D. C., this 1st day of September 1948.

HOMER C. KING,
Deputy Director of the Office of Defense Transportation.

[F. R. Doc. 48-8026; Filed, Sept. 7, 1948; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 939]

HANDLING OF BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

NOTICE OF PROPOSED RULE MAKING

Correction

In Federal Register Document 48-6466, appearing at page 4128 of the issue for Tuesday, July 20, 1948, "§ 936.101" should read "§ 939.101"; in § 939.104 (c) line 15, the word "receiver" should read "receive"

FEDERAL POWER COMMISSION

[18 CFR, Parts 153, 154, 155, 250]

[Docket No. R-107]

FORM, COMPOSITION, FILING AND POSTING OF RATE SCHEDULES AND TARIFFS FOR TRANSPORTATION OR SALE OF NATURAL GAS

NOTICE OF PROPOSED RULE MAKING

Revision of amendments to regulations and approved forms under the Natural Gas Act, to prescribe revised rules governing form, composition, filing and posting of rate schedules and tariffs for the transportation or sale of natural gas.

The proposed amendments to the above-mentioned regulations heretofore published (13 F R. 2045-2050) have been revised as set forth below. Public hearings in this matter will be held in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., commencing at 10:00 a. m. (e. d. s. t.) on September 20, 1948 (13 F R. 3343-3344, 3820)

[SEAL] J. H. GUTRIDE,
Acting Secretary.

PART 153—APPLICATION FOR AUTHORIZATION TO EXPORT OR IMPORT NATURAL GAS

§ 153.8 *Filing of contracts, rate schedules, etc.* Persons authorized to export natural gas from the United States to a foreign country or to import natural gas from a foreign country shall file two full and complete copies of every contract and the amendments thereto, presently or hereafter effective, for such export or import, together with all rate schedules, agreements, leases or other writings, tariffs, classifications, rules and regulations relative to such export or import in the manner specified in Part 154, except that the requirements of §§ 154.31 through 154.41 shall not be applicable.

PART 154—RATE SCHEDULES AND TARIFFS

APPLICATION

[1] Effective date of rules.

APPLICATION

§ 154.1 *Application; obligation to file.* On and after ---------- [1] every natural-gas company shall file with the Commission and post in conformity with the requirements of this part, schedules showing all rates, and charges for any transportation or sale of natural gas subject to the jurisdiction of the Commission and the classifications, practices, rules and regulations affecting such rates, charges and services; together with all contracts in any manner affecting or relating thereto: *Provided, however* That all such presently effective schedules filed with the Commission before the aforesaid date shall be restated as set forth in § 154.82 to conform with the following rules and regulations, and filed and posted on or before the dates specified in § 154.83.

DEFINITION OF TERMS USED IN THIS PART

§ 154.11 *Rate schedule.* The term "rate schedule" means a statement of a rate or charge for a particular classification of transportation or sale of natural gas subject to the jurisdiction of the Commission, and all terms, conditions, classifications, practices, rules and regulations affecting such rate or charge. This term also includes any contract for which special permission has been obtained in accordance with § 154.52.

§ 154.12 *Contract.* The term "contract" means any agreement which in any manner affects or relates to rates, charges, classifications, practices, rules, regulations or services for any transportation or sale of natural gas subject to the jurisdiction of the Commission. This term includes an executed service agreement.

§ 154.13 *Service agreement.* The term "service agreement" means an unexecuted form of agreement for service under a natural-gas company's tariff.

§ 154.14 *Tariff or FPC gas tariff.* The term "tariff" or "FPC gas tariff" means a compilation, in book form, of all of the effective rate schedules of a particular natural-gas company, and a copy of each form of service agreement.

§ 154.15 *Filing date.* The term "filing date" means the day on which a tariff or part thereof or a contract is received in the office of the Secretary of the Commission for filing in compliance with the requirements of this part.

§ 154.16 *Posting.* The term "posting" means (a) making a copy of a natural-gas company's tariff and contracts available during regular business hours for

public inspection in a convenient form and place at the natural-gas company's offices where business is conducted with affected customers and (b) mailing to each customer affected a copy of such tariff or part thereof at the time it is sent to the Commission for filing.

IN GENERAL

§ 154.21 *Effective tariff.* The effective tariff of a natural-gas company shall be the tariff filed pursuant to the requirements of this part, and permitted by the Commission to become effective. No natural-gas company shall directly or indirectly, demand, charge or collect any rate or charge for or in connection with the transportation or sale of natural gas subject to the jurisdiction of the Commission, or impose any classifications, practices, rules or regulations, different from those prescribed in its effective tariff and executed service agreements on file with the Commission, unless otherwise specifically provided by order of the Commission.

§ 154.22 *Notice requirements.* All tariffs, and contracts or any part thereof shall be filed with the Commission and posted not less than thirty days nor more than sixty days prior to the proposed effective date thereof, unless a different period of time is permitted by the Commission in accordance with § 154.51. *Provided, however* That no natural-gas company shall file under this part any new rate schedule or contract for the performance of any service for which a certificate of public convenience and necessity must be obtained pursuant to section 7 (c) of the Natural Gas Act, until such certificate has been issued. Nothing herein shall be construed as preventing the natural-gas company from entering into any such agreement prior to the granting of such a certificate.

§ 154.23 *Acceptance for filing not approval.* The acceptance for filing of any tariff, contract or part thereof is not to be considered as approval by the Commission.

§ 154.24 *Rejection of material submitted for filing.* The Commission reserves the right to reject any material submitted for filing which fails to comply with the requirements set forth in this part.

§ 154.25 *Informal submission for staff suggestions.* Any natural-gas company may informally submit a tariff or any part thereof or material relating thereto for the suggestions of the staff of the Commission prior to filing.

§ 154.26 *Number of copies to be supplied.* Two copies of any tariff, contract, or part thereof, and material relating thereto, Certificates of Adoption, and Notices of Cancellation or Termination submitted for filing must be supplied to the Commission: *Provided, however,* That restatements filed pursuant to §§ 154.81 through 154.86 shall be furnished in quintuplicate. All copies are to be included in one package, together with letter of transmittal and other material and information required by these rules, and addressed to the Federal Power Commission, Washington 25, D. C. The Commission reserves the right to request additional copies.

§ 154.27 *Comments by interested parties.* Comments of any purchaser or other interested party concerning any filing made pursuant to this part should be submitted within 15 days after the date of filing. This section shall not limit any right to file protests and complaints.

FORM AND COMPOSITION OF TARIFF

§ 154.31 *Application.* Sections 154.32 through 154.41 after[1] are applicable to all rate schedules thereafter filed or restated, except that such sections are only partially applicable, to rate schedules filed under § 154.52. (A form of an assembled tariff is available upon request.)

§ 154.32 *Form, type, and size.* The tariff shall be printed, typewritten or otherwise reproduced on 8½ by 11 inch sheets of a durable paper so as to result in a clear and permanent record. The sheets of the Tariff shall be ruled to set off borders of 1¼ inches on top, bottom and left sides and ½ inch on the right side, punched on the left side and assembled in a binder.

§ 154.33 *Binder, title page, and arrangements.* The binder shall show on the front cover:

FPC Gas Tariff

Original Volume No. 1

of

(Name of Natural-Gas Company)

Filed with

Federal Power Commission

If it is advisable to submit the tariff in two or more volumes, the volumes shall be identified by "Original Volume No. 1", "Original Volume No. 2", etc., directly below the words "FPC Gas Tariff." Rate schedules for which special exception has been obtained under § 154.52 may be filed in a separate volume as part of the tariff.

When any volume of a tariff is to be superseded or replaced in its entirety, the replacing volume shall show prominently on the binder and the title page the volume number being superseded or replaced, as for example:

FPC Gas Tariff

First Revised Volume No. 1

(Supersedes Original Volume No. 1)

The first page shall be a title page which shall carry the information shown on the cover and, in addition, the name, title, and address of the person to whom communications concerning the tariff should be sent.

All sheets except the title page shall have the following information placed in the margins:

(a) *Identification.* At the left above the top marginal ruling, the exact name of the company shall be shown, under which shall be set forth the words "FPC Gas Tariff," together with volume identification where applicable.

(b) *Numbering of sheets.* At the right above the top marginal ruling, the sheet number shall appear after the words "Original Sheet No. _____." All sheets in the originally filed tariff shall be numbered consecutively beginning with the table of contents as "Original Sheet No. 1"

Revised or superseding sheets shall be numbered "_____ Revised Sheet No. _____" below which shall appear "Superseding _____ Sheet No. _____." The first blank above shall show the number of the revision (i. e., First, Second, etc.) and the sheet number shall be the same as the sheet replaced. The third and fourth blanks shall be filled according to the numbering of the sheet replaced.

Sheets which are to be inserted between two consecutively numbered sheets shall be designated "Original Sheet No. _____," with the blank space filled with the appropriate number and a letter to indicate an insertion. Illustration: Three sheets which would come between original sheets 8 and 9 would be designated "Original Sheet No. 8A," "Original Sheet No. 8B," and "Original Sheet No. 8C."

(c) *Issuing officer and issued date.* On the left below the lower marginal ruling, shall be placed "Issued by:" followed by the name and title of the person authorized to issue the sheet. Immediately below shall be placed "Issued on" followed by the date of issue.

(d) *Effective date.* On the right below the lower marginal ruling shall be placed "Effective:" followed by the specific effective date desired by the company.

(e) *Sheets filed to comply with Commission orders.* Sheets which are filed to make effective rate schedules or provisions ordered by the Commission shall carry the following notation in the bottom margin: "Issued to comply with order of the Federal Power Commission, Docket No. ____, dated _____."

§ 154.34 *Composition of tariff.* The tariff shall contain, in the order named, sections setting forth a table of contents, a preliminary statement, a map of the system, the rate schedules, general terms and conditions, form of service agreement and an index of purchasers: *Provided, however,* That rate schedules for which special exception has been obtained under § 154.52 may be filed in a separate volume as permitted by § 154.33.

Rate schedules shall be grouped according to class and numbered serially within each group, using a letter before the serial number to indicate the class of service. For example, G-1, G-2 may be used for general service; CD-1, CD-2 for contract demand service; I-1, I-2 for interruptible service; T-1, T-2 for transmission service; X-1, X-2 for schedules for which special exception has been obtained.

§ 154.35 *Table of contents.* The table of contents shall contain a list of the rate schedules and other sections in the order in which they appear, showing the sheet number of the first page of each section. The list of rate schedules shall consist of (a) the symbol designation of each rate schedule, (b) a very brief description of the service, and (c) the sheet number of the first page of each rate schedule.

§ 154.36 *Preliminary statement.* The preliminary statement shall contain a

[1] Effective date of rules.

brief general description of the company's operations and may also contain a general explanation of its policies and practices. No general rules and regulations shall be included in the preliminary statement, nor any material necessary for the interpretation or application of the rate schedules.

§ 154.37 *Map.* The map shall show on a single sheet, if practicable, the general geographic location of the company's principal pipe line facilities and of the points at which service is rendered under the Tariff. Where the company's rate schedules are generally available by area, the boundary lines of the rate zones or rate areas should be shown and the areas or zones identified. The map shall be revised annually to reflect major changes if any.

§ 154.38 *Composition of rate schedule.* The sheets of a rate schedule shall contain a statement of a rate or charge and all terms and conditions governing its application, arranged as follows:

(a) *Title.* Each rate schedule shall have a title consisting of a designation (see § 154.34) and a statement of the type or classification of service to which it is applicable.

(b) *Availability.* This paragraph shall describe the conditions under which the rate is available, and, if necessary, the geographic zone in which available.

(c) *Applicability and character of service.* This paragraph shall fully describe the kind or classification of service to be rendered.

(d) *Statement of rate.* All rates shall be clearly stated in cents or in dollars and cents per unit. Only the rates and charges to be used in current billing shall be included in the rate schedules.

A rate having more than one part shall have each part set out separately under appropriate headings such as: Demand Charge, Commodity Charge, etc. The minimum bill and other provisions affecting charges shall not be included in this paragraph, but shall be included in subsequent paragraphs.

No rule, regulation, exception or condition such as tax, commodity price index, wholesale price index, purchased gas cost adjustment clauses or other similar price adjustments or periodic changes shall be included in the rate schedule or any other part of the tariff which in any way attempts to authorize the modification or change of any rate or charge specified in the rate schedule, or the substitution therefor of any other rate or charge.

(e) *Minimum bill.* The minimum bill heading shall appear on every rate schedule followed by the word "none" if no minimum bill is provided.

(f) *Other provisions.* All other major provisions governing the application of the rate schedule, such as determination of billing demand, contract demand, heat content, measurement base, shall be set forth similarly with appropriate headings, or if appropriate, they may be incorporated by reference to the applicable general terms and conditions.

(g) *Applicable general terms and conditions.* This paragraph shall list by reference the general terms and conditions set forth in the following section which apply to the particular rate schedule.

§ 154.39 *General terms and conditions.* This section shall contain provisions which apply to all or any of the rate schedules and which may more conveniently be arranged in a separate section of the tariff. Subsections and paragraphs shall be numbered for convenient reference.

§ 154.40 *Composition of service agreement.* There shall be submitted as part of the tariff an unexecuted copy of each a form of service agreement. The service agreement forms should provide for insertion of such items as the name of the purchaser, service to be rendered, area to be served, maximum obligation to deliver, delivery points, delivery pressure, applicable rate schedules by reference to the tariff, effective date and term, and identification of any prior agreements being superseded.

§ 154.41 *Index of purchasers.* The index of purchasers shall contain an alphabetical list of all purchasers under the tariff, showing for each the rate schedule or schedules under which service is rendered, and the following information concerning the contract: (a) the date of execution, (b) the effective date and (c) the term.

The index of purchasers shall be kept current by filing new or revised sheets within 60 days of any change.

SPECIAL PERMISSIONS

§ 154.51 *Waiver of notice requirements.* Upon application and for good cause shown, the Commission may by order provide that a tariff, contract, or part thereof shall be effective on less than 30 days notice. The Commission, upon request and for good cause shown, may permit a tariff, contract, or part thereof to be filed prior to sixty days before the proposed effective date.

§ 154.52 *Exception to form and composition of tariff.* Upon application and for good cause shown, the Commission may permit special rate schedules to be filed in the form of an agreement in the case of special operating arrangements such as for exchange or transportation of natural gas; or for the sale of gas at charges computed on a cost-formula basis, which charges need not be stated in cents or in dollars and cents per unit. Such rate schedules shall conform to the form, type and size specified in § 154.32 and shall contain on each sheet the marginal notations specified in § 154.33. In addition each such rate schedule shall contain a title page which shall show its designation, the parties to the agreement, the date of agreement and a brief generalized description of services to be rendered. Such rate schedules shall not contain any supplements. Any modifications shall be by revised or insert sheets.

Such rate schedules may be included in a separate volume of the tariff, which shall contain a table of its contents. This table of contents shall also be incorporated with the table of contents of other volumes.

METHOD OF SUBMISSION FOR FILING

§ 154.61 *Application.* Sections 154.62 through 154.65, except as hereinafter otherwise specifically provided, apply to all tariffs, executed service agreement, or parts thereof which are filed after ____.[1]

§ 154.62 *Material submitted with initial rate schedule or executed service agreement.* With the filing of any initial Rate Schedule or executed service agreement not superseding or making any change in a rate schedule, executed service agreement, or part thereof already on file, there shall be included a letter of transmittal containing a list of the material inclosed, the date on which such filing is proposed to become effective, and a list of the purchasers to whom it has been mailed: *Provided, however,* That the provisions of this section shall not be applicable to filings made pursuant to §§ 154.81 through 154.86.

In addition, the following material shall be submitted where applicable:

(a) *Statement of the reasons for rate schedule.* A statement of the nature, and the reason for such proposed initial rate schedule. Data submitted in response to subsequent items may be included by reference as a part of the response to this item.

(b) *Estimate of sales and revenues under an initial rate schedule or executed service agreement.* An estimate of sales or transportation performed and revenues thereunder, by months for the 12 months immediately succeeding the proposed effective date. The estimate shall be subdivided by rate schedules, classes of service, customers and delivery points, when more than one is involved. Such data shall include estimates of actual and billing quantities, that are to be used to compute the charges, such as actual demands, billing demands, volumes, heat content, and other determinants.

(c) *Basis of the rate or charge proposed in initial rate schedule.* A statement shall be submitted explaining the basis used in arriving at the proposed rate or charge. Such statement shall clearly show whether such rate or charge results from negotiation, cost of service determination, competitive factors, or others, and shall give the nature of any studies which have been made in connection therewith. If all or any portion of such information has already been submitted to the Commission, specific reference thereto should be made.

§ 154.63 *Material submitted with changes in a tariff, executed service agreements or part thereof.* With the filing of any tariff, executed service agreement or part thereof which changes or supersedes any tariff, contract or part thereof on file with the Commission, there shall be included a letter of transmittal containing a list of the material inclosed, the date on which such filing is proposed to become effective, and a list of the purchasers to whom it has been mailed: *Provided, however,* That the provisions of this section shall not be applicable to filings made pursuant to §§ 154.81 through 154.86, unless such fil-

[1] Effective date of rules.

ing results in a change in rate, charge, classification or service.

In addition, the following material is to be submitted where applicable:

(a) *Statement of reasons for change in tariff contract, or part thereof.* A statement of the nature, the reasons and the basis for the proposed change. Data submitted in response to subsequent items may be included by reference as part of the response to this item.

(b) *Comparison of sales and revenues if change in rate or charge involved.* A comparative statement of sales made or transportation performed and revenues therefrom, by months, under the present and proposed tariff, contract, or part thereof, each applied to the transactions for the twelve months immediately preceding and for the twelve months immediately succeeding the proposed effective date of the change in tariff, contract or part thereof. Actual data shall be used as far as possible, and any estimated data should be designated as such. The statement shall be subdivided by rate schedules, classes of service, customers, and delivery points when more than one is involved. Such data shall include actual and billing quantities that are used to compute the charges, such as actual demands, billing demands, volumes, heat content and other determinants.

(c) *Rate increase applications.* If the proposed change in tariff, contract or part thereof will result in an increase in rates or charges, there shall be submitted in support of the proposed increased rate or charge a statement showing the cost of service for the entire system, and also the cost allocated to the particular service or classification for which the increase in rates or charges is proposed, together with an explanation of the allocation methods.

The information submitted in the statement shall show for the most recent 12-month period or calendar year:

(1) The original cost of facilities and the depreciation reserve, segregated functionally by major account classifications.

(2) Working capital including materials and supplies, with an explanation of the method of derivation thereof.

(3) Any other items claimed as part of the rate base. Such other items should be identified by major account classifications.

(4) Gas operating expenses segregated functionally by major account classifications.

(5) Annual charges for depreciation segregated according to each major account classification shown in subparagraph (1) above; the annual depreciation rates used in computing such charges; and the method of determining such depreciation rates.

(6) Taxes charged to gas operations, classified under appropriate headings of Federal, State and local, with appropriate subclassification. There should be shown herein any increases in taxes estimated to result from the proposed rate increase, together with the method of derivation of the estimated amount of such tax increase.

(7) Rate of return claimed as reasonable, and the resulting amount of return.

(8) Cost of service as developed from above items.

(9) Relationship between the proposed tariff or part thereof which results in an increase in rates or charges, and the costs allocated to the particular service or classification.

(10) Gas operating revenues segregated functionally by major account classifications. The statement shall show, by major account classifications, any significant changes in costs experienced during the period for which the above information is submitted, or which are anticipated in the future, with an explanation of the reasons therefor.

(d) *Submission of material by reference.* If all or any portion of the information called for by pars. (a) through (d) of this section has already been submitted to the Commission, specific reference thereto may be made in lieu of resubmission in response to these requirements.

(e) *Change in executed service agreements.* Any change in an executed service agreement shall be made only by a superseding executed service agreement. Such service agreement shall not contain any supplements.

§ 154.64 *Cancellation or termination.* When a filed tariff, contract or part thereof is proposed to be canceled or is to terminate by its own terms and no new tariff, executed service agreement or part thereof is to be filed in its place, the natural-gas company shall notify the Commission of the proposed cancellation or termination on the form indicated in § 250.2 or § 250.3, whichever is applicable, at least thirty days prior to the proposed effective date of such cancellation or termination. A copy of such notice to the Commission shall be duly posted. With such notice, the company shall submit a statement showing the reasons for the cancellation or termination, a list of the affected purchasers to whom the notice has been mailed, the sales made or transportation performed and revenues therefrom, by months, for the twelve months immediately preceding the proposed effective date of the cancellation or termination. Actual data shall be used as far as possible, and any estimated data should be designated as such. Such statement shall be subdivided by rate schedules, classes of service, customers and delivery points when more than one is involved. *Provided, however,* That the filing of such notice shall not be construed as compliance with the requirements of section 7 (b) of the Natural Gas Act.

§ 154.65 *Adoption of tariff by successor.* Whenever the tariff or contracts of a natural-gas company are to be adopted by another company or person as a result of an acquisition, or merger, authorized by appropriate certificate of public convenience and necessity, or for any other reason, the succeeding company shall file with the Commission and post within thirty days after such succession a certificate of adoption on the form prescribed in § 250.4. Within ninety days after such notice is filed, the succeeding company shall file a tariff with the sheets bearing the correct name of the successor company, to replace the tariff previously adopted.

RESTATEMENT OF SCHEDULES FILED PRIOR TO _____[1]

§ 154.81 *Application.* Sections 154.82 through 154.86 apply to effective schedules of rates, charges, classifications, practices, regulations and contracts for the transportation or sale of natural gas subject to the jurisdiction of the Commission filed prior to _____,[1] which have not been prepared in accordance with §§ 154.31 through 154.41, and for which special exception has not been obtained under § 154.52.

§ 154.82 *Requirement for restatement.* All effective schedules of rates, charges, classifications, practices, regulations, and contracts not prepared in accordance with §§ 154.31 through 154.41 shall be restated and filed as parts of a tariff in accordance with said sections on or before the dates specified in § 154.83 and duly posted at the time of filing. *Provided, however,* That when necessary, pending completion of restatement within the time provided for by § 154.83, schedules may be filed in accordance with Part 154 as in effect prior to _____.[1]

§ 154.83 *Filing date of restatements.* Natural gas companies shall file, in quintuplicate, restatements of their rate schedules as parts of tariffs on or before the dates specified below, unless an extension of time is granted by the Commision upon application and for good cause shown:

Companies Making Their Major Sales in

Colorado, Idaho, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Utah, West Virginia, Wisconsin, Wyoming, on or before _____[2]

Alabama, District of Columbia, Florida, Georgia, Kentucky, Maryland, New York, New Jersey, North Carolina, Pennsylvania, Tennessee, Virginia, on or before _____[3]

Arizona, Arkansas, California, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Texas, on or before _____[4]

With the filing of such restatement there shall be included a letter of transmittal containing a list of the material inclosed and a list of the purchasers to whom it has been mailed.

§ 154.84 *Plan of restatement.* The restatement shall contain the provisions of schedules of rates, charges, classifications, practices, regulations and contracts effective on the date the tariff is filed. However, concurrent with the restatement, a natural-gas company may propose changes in rates, charges, classifications, services, practices, rules and regulations in accordance with § 154.63 of this part. Differences in the phraseology of schedules should be reconciled whenever possible. The effective date to be shown on the tariff sheets shall be that desired by the company, but not less

[1] Effective date of rules.
[2] Ninety days after effective date of rules.
[3] One hundred and twenty days after effective date of rules.
[4] One hundred and fifty days after effective date of rules.

than 30 days nor more than 60 days after filing pursuant to § 154.83.

§ 154.85 *Status of contracts filed as rate schedules and restated.* Each contract, which is now filed as an effective rate schedule and which is required to be restated as a part of a tariff, may be continued in effect and shall be considered as an executed service agreement to the extent that it is not inconsistent with the tariff, until such contract expires by its presently provided terms or is replaced by an executed service agreement in a form contained in the tariff: *Provided, however* That the natural-gas company, concurrent with the filing of the tariff, shall submit, for insertion in front of each such contract, a statement identifying the provisions thereof which are not inconsistent with or duplicative of the tariff and which are to remain in effect.

Provided further however That no change in such contract may be made except by the execution of a form of service agreement contained in the tariff.

§ 154.86 *Availability of Commission staff for advice prior to formal filing.* Any natural-gas company restating its schedules in accordance with § 154.82 may informally submit a tariff or any part thereof for the suggestions of the staff of the Commission, or may confer with the staff of the Commission to obtain advice on any problem of restatement, prior to submission of the tariff to the Commission for filing and posting.

PART 155—CONTRACTS AND RATE SCHEDULES FOR DIRECT INDUSTRIAL SALES

§ 155.1 *Contracts and rate schedules for direct industrial sales.* Every natural-gas company shall currently furnish to the Commission two full and complete copies of every contract and the amendments thereto, presently or hereafter effective, for the direct sale of natural gas to industrial consumers for consumption where such contract involves the sale of 100,000 Mcf per year or more, together with all rate schedules, agreements, leases or other writings, tariffs, classifications, services, rules and regulations relative to such sale; *Provided, however* That when such a presently filed contract is renewed or extended on identical terms except as to the period during which it is to be in effect, the natural-gas company may notify the Commission of such renewal or extension by letter, in duplicate, stating the date of the renewal or extension agreement and the period during which it is to be in effect, instead of furnishing to the Commission two copies of such renewal or extension agreement. In addition, every natural-gas company shall furnish to the Commission in October of each year, two full and complete lists of all direct industrial consumers using 3,000 Mcf or more during any month of the 12 months ended with the preceding August, but less than 100,000 Mcf per year, showing name, location, type of service such as firm or interruptible, and maximum monthly use during the 12-month period.

PART 250—FORMS

Sec.
250.2 Form of proposed cancellation of tariff or part thereof (see § 154.64).
250.3 Form of proposed cancellation or termination of contract or part thereof (see § 154.64).
250.4 Form of certificate of adoption (see § 154.65).

§ 250.2 *Form of proposed cancellation of tariff or part thereof (see § 154.64)*

_____ Revised Sheet No. _____
Superseding Sheet(s) No. _____
Name of company _____
FPC Gas Tariff _____

CANCELLATION OF TARIFF

Notice is hereby given that effective _____, FPC Gas Tariff of _____ (date) (Name of _____, is to be cancelled. To be used company) for cancellation of an entire Tariff.

CANCELLATION OF RATE SCHEDULE _____

Notice is hereby given that effective _____, Rate Schedule _____ con- (date) stituting ____ Sheet(s) No.(s) ____ of the FPC Gas Tariff of _____ (Name of company) is to be cancelled. To be used when an entire Rate Schedule is to be cancelled.

CANCELLATION OF SHEET NO. _____

Notice is hereby given that effective _____, Sheet(s) No(s). _____ of the (date) FPC Gas Tariff of _____ (Name of company) is to be cancelled. To be used for cancellation of individual sheets.

Issued by: (Name and title of issuing officer). Effective: (Date).

Issued on:

§ 250.3 *Form of proposed cancellation or termination of contract or part thereof (see § 154.64).*

Notice is hereby given that effective the _____ day of _____, ____, the contract with _____, (Name of purchaser or purchasers) dated _____ and relating to service under rate schedule(s) _____ _____ (Here identify the rate schedule(s), giving _____ is to be_____ sheet numbers in the Tariff) _____ (Specify whether it automatically terminates _____ by its terms or is to be cancelled by action of _____ the parties.)

_____ (Name of natural-gas company filing notice)

By _____ _____ (Title)

Dated _____

§ 250.4 *Form of certificate of adoption (See § 154.65)*

The _____ (Exact name of company or person) _____ (Address) effective _____ (Effective date of adoption) hereby adopts, ratifies, and makes its own, in every respect, the Tariff and contracts listed below, which have heretofore been filed with the Federal Power Commission by _____ (Exact name of predecessor) _____ (Here identify the Tariff and contracts adopted.)

_____ (Name of successor)

By _____, _____ (Title)

Dated _____, 194__.

[F. R. Doc. 48-8107; Filed, Sept. 7, 1948; 10:40 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 48-42]

APPROVAL OF EQUIPMENT

Correction

In Federal Register Document 48-7724, appearing at page 5026 of the issue for Saturday, August 28, 1948, the second paragraph under "Safety Valves" should read:

Approval No. 162.001/88/0, Series 70E, cast iron body pop safety valve, exposed spring, expanded outlet, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on heating boilers and evaporators, not permitted on power boilers, Dwg. No. P-20120, approved for sizes 1½" 2" 2½" 3", and 4", manufactured by Marine and Industrial Products Co., 1526 Vine Street, Philadelphia 2, Pa.

DEPARTMENT OF THE INTERIOR

Geological Survey

ALASKA

POWER SITE CLASSIFICATION NO. 398, LAKE PERSEVERANCE AND WARD LAKE

Pursuant to authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U. S. C. 31), and by Departmental Order No. 2333 of June 10, 1947 (43 CFR 4.623; 12 F. R. 4025) the following described land is hereby classified as power sites insofar as title thereto remains in the United States and subject to valid existing rights; and this classification shall have full force and effect under the provisions of sec. 24 of the act of June 10, 1920, as amended by sec. 211 of the act of August 26, 1935 (16 U. S. C., 818)

REVILLAGIGEDO ISLAND

All lands not heretofore withdrawn in connection with Federal Power Project No. 1135 in a strip extending 1,000 feet each side of a center line beginning at a point on the southwest shore of Lake Perseverance, Revillagigedo Island, Alaska, south 43 degrees west

1,400 feet from the Lake outlet, thence N. 59° west 3,000 feet; thence south 58° W 900 feet thence S. 68° W 1,500 feet to the shore of Ward Lake, all in the Ward Creek watershed.

The area described aggregates 251.6 acres.

THOMAS B. NOLAN,
Acting Director.

AUGUST 30, 1948.

[F. R. Doc. 48-8028; Filed, Sept. 7, 1948; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-287, G-1068]

EL PASO GAS TRANSPORTATION CORP. AND UNITED GAS PIPE LINE CO.

NOTICE OF FINDINGS AND ORDERS ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

SEPTEMBER 2, 1948.

Notice is hereby given that, on September 1, 1948, the Federal Power Commission issued its findings and orders entered August 31, 1948, issuing certificates of public convenience and necessity in the above-designated matters.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-8042; Filed, Sept. 7, 1948; 8:47 a. m.]

[Docket No. G-1061]

HOPE NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER AUTHORIZING AND APPROVING ABANDONMENT OF FACILITIES

SEPTEMBER 2, 1948.

Notice is hereby given that, on September 1, 1948, the Federal Power Commission issued its findings and order entered August 31, 1948, authorizing and approving abandonment of facilities in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-8041; Filed, Sept. 7, 1948; 8:47 a. m.]

[Docket Nos. G-859, G-1089]

TEXAS EASTERN TRANSMISSION CORP. AND TEXAS GAS TRANSMISSION CORP.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

AUGUST 31, 1948.

Upon consideration of the following applications filed with the Federal Power Commission for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas pipe line facilities, subject to the jurisdiction of the Commission, as described in such applications, on file with the Commission and open to public inspection:

(i) Application filed July 20, 1948, in Docket No. G-1089 by Texas Eastern Transmission Corporation (Texas Eastern) a Delaware corporation, with its principal place of business at Shreveport, Louisiana, public notice of such application having been given, including publication in the FEDERAL REGISTER on August 13, 1948 (13 F. R. 4701),

(ii) Amended application filed June 24, 1948, by Texas Gas Transmission Corporation (Texas Gas) a Delaware corporation with its principal places of business at Owensboro, Kentucky, and Memphis, Tennessee, public notice of such application having been given, including publication in the FEDERAL REGISTER on July 8, 1948 (13 F. R. 3796-7),

It appears to the Commission that:

(a) Hearing on the amended application filed by Texas Gas in Docket No. G-859 has been ordered for 10:00 a. m. on September 27, 1948, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., pursuant to the terms of Commission order issued August 4, 1948, published in the FEDERAL REGISTER August 10, 1948 (13 F. R. 4611)

(b) The application filed by Texas Eastern in Docket No. G-1089 is an integral part of the plan proposed by Texas Gas in its application in Docket No. G-859 and by virtue of such two applications, facilities are sought to be constructed for the transportation and sale of approximately 350,000 Mcf of natural gas per day to serve the areas now supplied by Texas Gas and also the areas which may be served by Texas Eastern under any certificate issued as a result of this proceeding;

(c) Among the issues involved in said applications, and other pleadings, including intervening petitions presently filed in connection therewith, are the following:

(1) The extent of public need and market requirements for natural gas in the areas which may be served;

(2) Whether the facilities, as designed and proposed to be constructed and the methods of operation thereof are adequate to render the services proposed and to meet the estimated demands for natural gas in the areas which may be served;

(3) The sufficiency of the supply of natural gas available to meet the demands in the areas which may be served by means of the proposed facilities;

(4) Applicants' ability to finance the construction and operation of the proposed facilities, the feasibility of the plan of financing proposed, and whether the Commission may in the public interest require competitive bidding on all debt and stock securities, by a condition to any certificate which may be issued, or otherwise;

(5) The economic feasibility of the proposed construction and operation of the facilities sought to be constructed;

(6) Whether each of the applicants is qualified, able and willing properly to do the acts and to perform the services proposed and to conform to the provision of the Natural Gas Act, as amended, and the requirements, rules and regulations of the Commission thereunder;

(7) Whether the construction and operation of the proposed facilities are or will be required by the present or future public convenience and necessity;

(d) Good cause exists for consolidating the proceedings in the above-entitled dockets.

The Commission, therefore, orders that:

(A) The proceedings in Docket Nos. G-1089 and G-859 be and the same are hereby consolidated;

(B) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's Rules of Practice and Procedure, a public hearing in the above-entitled consolidated proceedings be held on the 27th day of September 1948, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters presented and the issues involved in the applications and the other pleadings including intervening petitions in these proceedings;

(C) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: September 1, 1948.

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-8040; Filed, Sept. 7, 1948; 8:47 a. m.]

[Docket No. G-1102]

COLORADO-WYOMING GAS CO.

NOTICE OF APPLICATION

AUGUST 31, 1948.

Notice is hereby given that on August 16, 1948, an application was filed with the Federal Power Commission by Colorado-Wyoming Gas Company (Applicant) a Delaware corporation with its principal office in Denver, Colorado, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following natural-gas facilities:

Approximately 3.85 miles of 8⅝-inch transmission pipe line from a point on Applicant's existing 8-inch line about one mile north of the present Boulder lateral and near the common point of Sections 29, 28, 33 and 32 of Township 1 North, Range 69 West, west 3.85 miles to the intersection with the existing lateral located about 1,000 feet east of the common point of intersection of Sections 27, 26, 35 and 34 of Township 1 North, Range 70 West.

Applicant states the proposed facilities will in effect loop 3.85 miles of 8-inch line reinforcing its present supply of natural gas into the Boulder, Colorado area; and that the entire system will benefit through lower operating pressures required to serve Boulder area effecting a material savings in lower pumping costs, and in lost and unaccounted-for gas.

Applicant states the estimated total capital cost of the proposed facilities will be approximately $49,000; and that no financing of the construction is planned.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creating of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Colorado-Wyoming Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 and 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-8024; Filed, Sept. 7, 1948; 8:50 a. m.]

[Project No. 2003]

KETCHIKAN PULP & PAPER CO.

NOTICE OF APPLICATION FOR PRELIMINARY PERMIT

AUGUST 31, 1948.

Public notice is hereby given pursuant to the provisions of the Federal Power Act (16 U. S. C. 791-825r), that Ketchikan Pulp & Paper Company, of Bellingham, Washington, has filed application for preliminary permit for proposed water-power Project No. 2003 to be located on Revillagigedo Island, in the First Judicial Division, Alaska, and consisting of a dam at the outlet of Orchard Lake, a conduit, and a powerhouse on Shrimp Bay; a dam on Swan Creek, outlet of Swan Lake, a conduit, a powerhouse on Carroll Inlet; a dam on Fish Creek at the outlet of Big Lake, a conduit taking water from Lagoon Lake, and a powerhouse on Fish Creek near Low Lake; a dam near the outlet of Perseverance Lake to store water for processing purposes in the company's plant and for possible development of power and a pipe line to Ward Cove; and a transmission line connecting the plants with a substation on the shore of Ward Cove. The total installed capacity of the power plants is estimated at about 29,500 horsepower.

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request and the name and address of the party or parties so protesting or requesting, should be submitted before October 15, 1948, to the Federal Power Commission, Washington 25, D. C.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-8023; Filed, Sept. 7, 1948; 8:50 a. m.]

[Docket No. E-6161]

NORTHWESTERN PUBLIC SERVICE CO.

NOTICE OF APPLICATION

SEPTEMBER 3, 1948.

Notice is hereby given that on September 2, 1948, an application and amendment thereto, were filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Northwestern Public Service Company, a corporation organized under the laws of the State of Delaware and doing business in the States of South Dakota and Nebraska, with its principal business office at Huron, South Dakota, seeking an order authorizing the issuance of $700,000 aggregate principal amount of First Mortgage Bonds, 3½% series due 1978, to be dated September 1, 1948, and mature September 1, 1978; and pending consummation of the sale of the Bonds, to issue 3% promissory notes in the aggregate principal amount of $700,000, to be dated as of the date of issuance, on or about September 23, 1948, to mature 60 days after date of issuance and to be secured by a pledge of the aforementioned First Mortgage Bonds. Fifty percent of the aggregate principal amount of the notes will be issued to The Chase National Bank of the City of New York, 25% of the aggregate principal amount of said notes will be issued to the First National Bank of Minneapolis, and 25% of the aggregate principal amount of said notes will be issued to the Northwestern National Bank of Minneapolis. In the event that the sale of First Mortgage Bonds is consummated prior to the making of the bank loans, the bank loans will not be made and the promissory notes will not be issued; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 20th day of September 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-8093; Filed, Sept. 7, 1948; 10:54 a. m.]

SECURITIES AND EXCHANGE COMMISSION

ORGANIZATION; TRIAL EXAMINERS

The codification of Part 200 (statement of organization of the Commission) has been discontinued and hereafter amendments will appear in the Notices section of the FEDERAL REGISTER.

The Securities and Exchange Commission today directed that the descriptive statement with respect to the organization and procedure of the Commission heretofore published in the FEDERAL REGISTER (formerly § 200.4) which reads as follows:

Trial Examiners. The trial examiners preside at hearings, make rulings relating thereto, and in certain cases issue recommended decisions. The trial examiners are assigned by the Commission to cases in rotation so far as practicable.

be amended by inserting after the first sentence thereof the following: "In addition to presiding at hearings required to be conducted pursuant to sections 7 and 8 of the Administrative Procedure Act, trial examiners occasionally preside over hearings held pursuant to the Commission's power to make examinations and investigations; in such instances the trial examiners' duties are primarily to maintain order, to receive evidence and to rule impartially on objections; they take no part in the development of the facts nor do they consult privately with those members of the Commission's staff engaged in the investigative or prosecuting functions."

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

SEPTEMBER 1, 1948.

[F. R. Doc. 48-8031; Filed, Sept. 7, 1948; 8:51 a. m.]

[File Nos. 70-1903, 70-1929]

COLUMBIA GAS SYSTEM, INC., ET AL.

NOTICE OF FILING OF APPLICATIONS-DECLARATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 1st day of September 1948.

In the matters of The Columbia Gas System, Inc. and The Manufacturers Light and Heat Company, File No. 70-1903; The Manufacturers Light and Heat Company and Gettysburg Gas Corporation, File No. 70-1929.

Notice is hereby given that joint applications-declarations have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by The Columbia Gas System, Inc. ("Columbia") a registered holding company, and its utility subsidiary, The Manufacturers Light and Heat Company ("Manufacturers") and by the latter corporation and Gettysburg Gas Corporation ("Gettysburg") also a public-utility subsidiary of Columbia. Applicants-declarants have designated sections 9 (a), 10 and 12 (d) of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than September 20, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said applications-declarations which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after September 20, 1948, said applications-declarations, as filed or as amended, may be granted and permitted to become effective as provided in Rule

U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said applications-declarations which are on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Columbia proposes to contribute all of the shares of common stock of Gettysburg, being 780 shares of $100 par value each, to Manufacturers.

Manufacturers proposes that, upon the acquisition of all the outstanding shares of the common stock of Gettysburg, it will cause Gettysburg to be dissolved and liquidated, and as the sole stockholders it will acquire all the assets and assume all the liabilities of Gettysburg.

The foregoing transactions are the final steps designed to effect the acquisition of the Gettysburg properties by Manufacturers and the dissolution of Gettysburg, this Commission having by order dated August 27, 1948 permitted Columbia to forgive and contribute to Gettysburg all of the indebtedness of that company, consisting of $112,500 principal amount of First Mortgage Bonds and $140,000 principal amount of Income Demand Loans.

The acquisition by Manufacturers of the assets of Gettysburg has been submitted to the Pennsylvania Public Utility Commission for its approval.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 48-8029; Filed, Sept. 7, 1948; 8:50 a. m.]

[File No. 70-1907]

COLUMBIA GAS SYSTEM, INC., AND CENTRAL KENTUCKY NATURAL GAS CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 31st day of August 1948.

The Columbia Gas System, Inc. ("Columbia") a registered holding company, and its gas utility subsidiary, Central Kentucky Natural Gas Company ("Central Kentucky") having filed a joint application-declaration pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following transaction:

Central Kentucky proposes to issue and sell to Columbia, which proposes to acquire the same, its 3¼% notes due in equal annual installments commencing 1950 and ending in 1974, in an estimated principal amount of $575,000.

The proceeds of said issuance and sale by Central Kentucky are to be used together with treasury cash to purchase certain gas distribution properties from Kentucky Utilities Company, a non-affiliated company, which properties are located in the City of Lexington, Kentucky, and are, and for many years have been, operated under lease by Central Kentucky. The purchase price for said properties, which is to be paid in cash, is to be the original cost thereof less accrued depreciation to the date of purchase; it being estimated that at July 1, 1948, the purchase price would have been $576,732.

The sale by Kentucky Utilities Company and the acquisition by Central Kentucky of the gas distribution properties have been approved by the Public Service Commission of Kentucky.

Such application-declaration having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary with respect to the application-declaration, deeming it appropriate in the public interest and in the interests of investors and consumers that said application-declaration be granted and permitted to become effective, and deeming it appropriate to grant the request of applicants-declarants that the order become effective as soon as possible:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that said application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 48-8030; Filed, Sept. 7, 1948; 8:51 a. m.]

[File No. 70-1928]

TOLEDO EDISON CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of August A. D. 1948.

Notice is hereby given that The Toledo Edison Company ("Toledo"), a public utility subsidiary of Cities Service Company, a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935 ("act"). Applicant has designated section 6 of the act and Rule U-50 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than September 9, 1948 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter such application as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application on file in the office of the Commission for a statement of the proposed transaction, which may be summarized as follows:

Toledo proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, $5,000,000 principal amount of First Mortgage Bonds, ...% Series, due 1978. The coupon rate and price to the company will be determined by competitive bidding. It is stated that the net proceeds from the sale of such bonds will be added to the company's general funds and used to provide part of the new capital required by Toledo for its construction program.

The proposed issue and sale has been submitted for approval to the Public Utilities Commission of Ohio, the commission of the State in which Toledo is organized and doing business.

The applicant requests that the Commission's order granting the application be issued on or before September 10, 1948, and become effective immediately upon issuance thereof.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 48-8032; Filed, Sept. 7, 1948; 8:51 a. m.]

[File Nos. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORP. (DEL.)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of August A. D. 1948.

The Commonwealth & Southern Corporation ("Commonwealth") a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder, regarding the proposed payment of a dividend of $1.50 per share or an aggregate of approximately $2,161,870 on the outstanding shares of its preferred stock, payable on the 28th day after the date of the order of the Commission permitting the payment of such dividend or on October 1, 1948, whichever date is the later, to stockholders of record at the close of business on the 10th day after the date of such order (or if such 10th day is not a business day, the first business day following such 10th day) or on September 10, 1948, whichever date is the later; and

The Commission having heretofore instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the act with respect to Commonwealth & Southern and its subsidiaries; and

Commonwealth having filed a plan for compliance with such sections of the act, providing, among other things, for the liquidation of Commonwealth; and

Commonwealth having stated in the instant declaration that "The Board * * * recognizes that, in view of the pending proceedings, the 'Earned Surplus' account may be so qualified that under the rules and practice of the Commission, payment of said dividend is subject to the requirement of Commission authorization under the provisions of section 12 (c) of the act and Rule U-46 in spite of the fact that, as authorized by section 34 of the Delaware General Corporation Law, the source of payment of such dividend under such Law is Commonwealth's net profits for the current and preceding fiscal year"; and

The instant declaration having been filed on August 18, 1948 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming that it would not be necessary or appropriate to deny effectiveness to the declaration under the standards of section 12 (c) of the act and Rule U-46 if it should be found that the proposed payment were to be made out of capital and that, therefore, it is unnecessary for the Commission to determine whether said proposed payment is being made out of capital; and

The Commission therefore deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective insofar as section 12 (c) and Rule U-46 are applicable to the proposed payment; and

Commonwealth having requested that the Commission's order be issued herein on or before September 1, 1948, and become effective forthwith, and the Commission deeming it appropriate to grant such request;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith, provided, however, that this order shall not be construed as a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code, and provided further that Commonwealth accompany the dividend checks with a statement to the effect (1) that Commonwealth filed the declaration regarding the proposed dividend payment pursuant to section 12 (c) and Rule U-46 by reason of its uncertainty as to whether the "Earned Surplus" account may be so qualified, under the Rules and practice of the Commission, that payment of the proposed dividend is subject to the requirement of Commission authorization under the act and the Rules thereunder and that the Commission permitted the declaration to become effective without determining whether the proposed payment is being made out of capital and (2) that the Commission's action in permitting the declaration to become effective should not be construed as a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 48-8033; Filed, Sept. 7, 1948; 8:51 a. m.]

[File No. 70-1890]

INDIANA & MICHIGAN ELECTRIC CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 26th day of August A. D. 1948.

Indiana & Michigan Electric Company ("Indiana") a subsidiary of American Gas and Electric Company, a registered holding company, having filed an application and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof and Rules U-42 and U-50 promulgated thereunder with respect to the following transactions:

Indiana proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, $25,000,000 principal amount of First Mortgage Bonds, __% Series, due 1978. The coupon rate and price to the company will be determined by competitive bidding, except that the invitation for bids will specify that the coupon rate shall be in multiples of ⅛ of 1% and shall not exceed 3¼% and that the price to be paid to the Company shall not be less than 100% nor more than 102¾% of the principal amount.

The net proceeds of the sale of such bonds will be applied to the prepayment without premium of $16,000,000 principal amount of notes payable to banks and the balance of the proceeds remaining after such prepayment will be applied, together with other funds of Indiana, to pay for necessary construction and improvements.

The application having been filed on July 14, 1948, and the latest amendment thereto having been filed on August 25, 1948, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to such application, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that Indiana is entitled to an exemption from the provisions of sections 6 (a) and 7 of the act pursuant to the provisions of section 6 (b), it appearing that the proposed issue and sale of bonds are solely for the purpose of financing the business of Indiana and have been expressly authorized by the Public Service Commission of Indiana, the Commission of the state in which Indiana is organized and doing business and by the Michigan Public Service Commission, the Commission of the state in which Indiana is also doing business; and the Commission being of the opinion that it is appropriate to grant said application, as amended, without the imposition of terms and conditions other than those hereinafter stated; and the Commission also deeming it appropriate to grant applicant's request that the order herein become effective forthwith upon the issuance thereof:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said act that said application, as amended, be and the same hereby is granted subject to the terms and conditions contained in Rule U-24 and subject to the following additional conditions, the imposition of which has been assented to by the applicant:

(1) That the proposed sale of bonds of Indiana shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed which order may contain such further terms and conditions as may then be deemed appropriate;

(2) That jurisdiction be reserved with respect to all fees and expenses to be paid in connection with the proposed transaction.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 48-8034; Filed, Sept. 7, 1948; 8:51 a. m.]

[File No. 70-1923]

CENTRAL MAINE POWER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of August A. D. 1948.

Central Maine Power Company ("Central Maine") a subsidiary company of New England Public Service Company, a registered holding company, having filed an application and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder with respect to the following transactions:

Central Maine proposes to increase its short-term debt to a maximum amount of $8,500,000 up to and including December 31, 1948, by the issue of promissory notes to The First National Bank of Boston, from time to time, to and including December 31, 1948, said notes having a maturity of nine months or less. The company had outstanding as of August 11, 1948, notes payable to The First National Bank of Boston aggregating $3,800,000. It is stated that the company has an understanding with The First Na-

tional Bank of Boston that, until further notice, interest rates on the first $5,000,000 of renewals or new money will be at the rate of 1¾% per annum and on amounts in excess of $5,000,000 will be at the rate of 2% per annum. It is further stated that in case said rates shall exceed such amounts, the company will file an amendment to its application, stating the rates of interest, at least five days prior to the execution and delivery of any note bearing such new interest rates, and unless the Commission shall notify the company to the contrary within said five-day period, the amendment shall become effective at the end of said period. The issuance of such notes is for the stated purpose of obtaining the funds necessary to continue the company's 1948 construction program. The application states that the company intends to issue and sell sufficient shares of common stock between now and the end of 1948 to yield approximately $5,000,000, and that it is its present intention that this sale take place during the month of November. It is further stated that the proceeds from the sale of such common stock will be applied toward the payment of outstanding notes.

Said application having been filed on August 12, 1948, and an amendment thereto having been filed on August 16, 1948, and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated under said act, and the Commission not having received a request for hearing with respect to said application within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application as amended that the requirements of the applicable sections of the act and the rules and regulations thereunder are satisfied and finding it appropriate in the public interest and in the interest of investors and consumers that said application as amended be granted:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24 that the application as amended be, and hereby is, granted forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 48-8035; Filed, Sept. 7, 1948; 8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11636]

WALTER K. POEHLMANN AND TRUST CO. OF NEW JERSEY

In re: Trust Agreement dated June 4, 1932, between Walter K. Poehlmann, settlor, and The Trust Company of New Jersey, trustee. Files F-28-6625 and F-28-6625-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Walter K. Poehlmann, Rose Poehlmann, and Lenore Poehlmann, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the issue, names unknown, of Lenore Poehlmann, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated June 4, 1932, by and between Walter K. Poehlmann and The Trust Company of New Jersey, 35 Journal Square, Jersey City, New Jersey, presently being administered by The Trust Company of New Jersey, Trustee, 35 Journal Square, Jersey City, New Jersey, including, but not limited to the right of Walter K. Poehlmann to amend, cancel or revoke the trust agreement,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Leonore Poehlmann are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 22, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8048; Filed, Sept. 7, 1948; 8:52 a. m.]

[Vesting Order 11637]

FRANK KOSAI ET AL.

In re: United States of America v. Frank Kosai, et al. File No. D-39-6216.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ben Kosai, whose last known address was, on October 14, 1947, Japan, was on such date a resident of Japan and a national of a designated enemy country (Japan)

2. That the sum of $166.66 was paid to the Attorney General of the United States by the Clerk of the United States District Court, Western District of Washington, Northern Division, Seattle, Washington, in the action entitled "United States of America v. Frank Kosai, et al., No. 533".

3. That the sum of $166.66 was accepted by the Attorney General of the United States on October 14, 1947, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of $166.66 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof was not within a designated enemy country on October 14, 1947, the national interest of the United States required that such person be treated as a national of a designated enemy country (Japan) on such date.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8049; Filed, Sept. 7, 1948; 8:52 a. m.]

[Vesting Order 11850]

AGNES ECKHARDT ET AL.

In re: Stock owned by Agnes Eckhardt, Jacob Reil, Lena K. Schmidt, Theresia Reil, and Karoline Reil, also known as Karolina Reil. D-66-2251-D-1, D-66-2339-D-1, F-28-23609-D-2; F-28-25309-D-1, F-28-14161-D-1/2; F-28-14075-D-2/3; F-28-25310-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Agnes Eckhardt, Jacob Reil, Lena K. Schmidt, Theresia Reil, and Karoline Reil, also known as Karolina Reil, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Three (3) shares of no par value prior lien preferred $7.00 Dividend Series capital stock of Central and South West Utilities Co. (now Central & Southwest Corporation) 902 Market Street, Wilmington 99, Delaware, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered L028307 registered in the name of Agnes Eckhardt, Germershausen 38 K R Duderstadt, Germany, together with all declared and unpaid dividends thereon, and any and all rights to the proceeds of redemption thereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Agnes Eckhardt, the aforesaid national of a designated enemy country (Germany)

3. That the property described as follows: Ten (10) shares of no par value preferred $7.00 Dividend Series capital stock of Central and South West Utilities Co. (now Central & Southwest Corporation) 902 Market Street, Wilmington 99, Delaware, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered P016827, registered in the name of Jacob Reil, Ziegetsdorf 54, Regensburg 2 Hand, Bayern, Germany, together with all declared and unpaid dividends thereon, and any and all rights to the proceeds of redemption thereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Jacob Reil, the aforesaid national of a designated enemy country (Germany)

4. That the property described as follows:

a. Ten (10) shares of $100.00 par value 7% preferred capital stock of North West Utilities Company, 902 Market Street, Wilmington, Delaware, evidenced by a certificate numbered PA06493, registered in the name of Lena K. Schmidt, Coslar, Harz, Koethe Str. 11, Germany, together with all declared and unpaid dividends thereon, and

b. Fifteen (15) shares of $100.00 par value 6% preferred capital stock of Michigan Gas and Electric Company, 101 West Second Street, Ashland, Wisconsin, a corporation organized under the laws of the State of Michigan, evidenced by a certificate numbered P01135, registered in the name of Lena K. Schmidt, Goslar, Harzkother Str. 11, Germany, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Lena K. Schmidt, the aforesaid national of a designated enemy country (Germany)

5. That the property described as follows:

a. Five (5) shares of $100.00 par value 7% preferred capital stock of North West Utilities Company, 902 Market Street, Wilmington, Delaware, evidenced by a certificate numbered PA07290, registered in the name of Theresia Reil, Ziegetsdorf 54, Regensburg 2, Hand, Bayern, Germany, together with all declared and unpaid dividends thereon, and

b. Ten (10) shares of no par value preferred $7.00 Dividend Series capital stock of Central and South West Utilities Co. (now Central & Southwest Corporation) 902 Market Street, Wilmington, Delaware, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered P016828, registered in the name of Theresia Reil, Ziegetsdorf 54, Regensburg 2, Hand, Bayern, Germany, together with all declared and unpaid dividends thereon, and any and all rights to the proceeds of redemption thereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Theresia Reil, the aforesaid national of a designated enemy country (Germany),

6. That the property described as follows: Five (5) shares of $100.00 par value 7% preferred capital stock of North West Utilities Company, 902 Market Street, Wilmington, Delaware, evidenced by a certificate numbered PA06728, registered in the name of Karolina Reil, Ziegetsdorf 54, Regensburg 2, Hand, Bayern, Germany, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Karoline Reil, also known as Karolina Reil, the aforesaid national of a designated enemy country (Germany)

7. That the property described as follows: Eleven (11) shares of no par value preferred $7.00 Dividend Series capital stock of Central and South West Utilities Co. (now Central & Southwest Corporation) 902 Market Street, Wilmington, Delaware, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered P06428, registered in the names of Theresia Reil and Karoline Reil, Ziegetsdorf 54, Regensburg 2, Hand, Bayern, Germany, together with all declared and unpaid dividends thereon, and any and all rights to the proceeds of redemption thereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Theresia Reil and Karoline Reil, also known as Karolina Reil, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-8052; Filed, Sept. 7, 1948; 8:53 a. m.]

[Vesting Order 11844]

CHRISTIANE SCHMIDT

In re: Estate of Christiane Schmidt, also known as Dora Schmidt, deceased. File No. D-28-11491, E. T. sec. 15709.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinerich Schwiecker and Fritz Schwiecker, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the sum of $297.09 was paid to the Attorney General of the United States by Christiane Forstenaicher, Executrix of the estate of Christiane Schmidt, also known as Dora Schmidt, deceased;

3. That the said sum of $297.09 was accepted by the Attorney General of the United States on May 26, 1948, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of $297.09 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid na-

tionals of a designated enemy country (Germany)

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-8051; Filed, Sept. 7, 1948; 8:53 a. m.]

[Vesting Order 11842]

WALTER K. POEHLMANN AND TRUST CO. OF NEW JERSEY

In re: Trust Agreement dated June 4, 1932, between Walter K. Poehlmann, settlor, and The Trust Company of New Jersey, trustee. Files F-28-6625 and F-28-6625-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Irmgard Poehlmann and Walter Poehlmann (son of Walter K. Poehlmann) whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the issue, names unknown, of Irmgard Poehlmann and the issue, names unknown, of Walter Poehlmann (son of Walter K. Poehlmann) who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated June 4, 1932, by and between Walter K. Poehlmann and The Trust Company of New Jersey, 35 Journal Square, Jersey City, New Jersey, presently being administered by The Trust Company of New Jersey, Trustee, 35 Journal Square, Jersey City, New Jersey,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Irmgard Poehlmann and the issue, names unknown, of Walter Poehlmann (son of Walter K. Poehlmann) are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-8052; Filed, Sept. 7, 1948; 8:53 a. m.]

[Vesting Order 11855]

UHICHI KINOSHITA

In re: Bank account owned by Uhichi Kinoshita. F-39-6076-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Uhichi Kinoshita, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the property described as follows: That certain debt or other obligation owing to Uhichi Kinoshita, by Bishop National Bank of Hawaii at Honolulu, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, Account Number 62580, entitled Uhichi Kinoshita, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8053; Filed, Sept. 7, 1948; 8:53 a. m.]

[Vesting Order 11856]

GEORGE T. KUNITOMO

In re: Stock owned by George T. Kunitomo. F-39-6145-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That George T. Kunitomo, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: Ten (10) shares of $10 par value common capital stock of Honolulu Laundry Company, Limited 1065 Waimanu Street, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificate Number 611, registered in the name of George T. Kunitomo, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-8054; Filed, Sept. 7, 1948; 8:53 a. m.]

[Vesting Order 11862]

ZENICHI TANIMOTO AND J. ISHIZU

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Zenichi Tanimoto, deceased, and of J. Ishizu, deceased. F-39-4080-D-1, F-39-5107-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees, and distributees of Zenichi Tanimoto, deceased, and the personal representatives, heirs, next of kin, legatees and distributees of J. Ishizu, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan)

2. That the property described as follows: Seven (7) shares of $25 par value common capital stock of Hilo Rice Mill Co., Ltd., 458 Kamehameha Avenue, Hilo, Hawaii, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by the certificates listed below, registered in the names of the persons listed below in the amounts appearing opposite each name as follows:

Name in which registered	Certificate No.	Number of shares
Zenichi Tanimoto	162	3
	332	1
	423	2
J. Ishizu	310	1

together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Zenichi Tanimoto, deceased, and the personal representatives, heirs, next of kin, legatees and distributees of J. Ishizu, deceased, the aforesaid nationals of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Zenichi Tanimoto, deceased, and the personal representatives, heirs, next of kin, legatees and distributees of J. Ishizu, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-8056; Filed, Sept. 7, 1948; 8:53 a. m.]

[Vesting Order 11858]

DR. KLAUS AND ENID MEHNERT

In re: Bank account owned by Dr. Klaus Mehnert and Enid Mehnert. D-28-5217-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Klaus Mehnert and Enid Mehnert, each of whose last known address is Stuttgart, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Dr. Klaus Mehnert and Enid Mehnert, by Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a checking account entitled Dr. Klaus and Enid Mehnert, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8055; Filed, Sept. 7, 1948; 8:53 a. m.]

[Vesting Order 11863]

EIJI AND HARUE TSUMURA

In re: Bank accounts owned by Eiji Tsumura and Harue Tsumura. D-39-16909-C-1, D-39-16909-E-1, D-39-18824 E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Eiji Tsumura and Harue Tsumura, each of whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan),

2. That the property described as follows: That certain debt or other obligation of The Yokohama Specie Bank, Ltd., Honolulu Office, P O. Box 1200, Honolulu, T. H., arising out of a savings account, Receiver's Liability Number 2984, entitled Eiji Tsumura or Harue Tsumura, and any and all rights to demand, enforce, and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan),

3. That the property described as follows: That certain debt or other obligation of Bishop National Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, Account Number 53752, entitled Eiji Tsumura and/or Yuso Tsumura, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Eiji Tsumura, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-8057; Filed, Sept. 7, 1948; 8:54 a. m.]

[Vesting Order 11867]

KURT LINDHORST

In re: Trademarks owned by Kurt Lindhorst of Berlin, Germany.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kurt Lindhorst, whose last known address is Berlin, Germany, is a resident of Germany and a national of a foreign country (Germany)

2. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described together with the right to sue therefor) created in Kurt Lindhorst by virtue of an agreement executed January 28, 1937 (including all modifications thereof and supplements thereto, if any) by and between Kurt Lindhorst and Lady Handicraft Co., Inc., New York, New York, which agreement relates among other things, to two trademarks registered in the United States Patent Office, Nos. 284,130 and 284,131, respectively, and "Lindhorst Appollo Cordonnet," an unregistered trademark, and

(b) The unregistered trademark "Lindhorst Apollo Cordonnet" and trademarks registered in the United States Patent Office identified as follows:

Register No.	Date	Character of goods
284130	June 16, 1931	Cotton yarns.
284131	do	Wool yarns.

together with

(i) The respective good will of the business in the United States and all its possessions to which said trademarks are appurtenant,

(ii) Any and all indicia of such good will (including but not limited to formulae whether secret or not, procedure, customers lists, labels, machines and other equipment),

(iii) Any interests of any nature whatsoever in and any rights and claims of every character and description to said business, good will and trademarks and registrations thereof, and

(iv) All accrued royalties payable or held with respect to such trademarks and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

is property of, and is property payable or held with respect to trademarks or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid national of a foreign country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-8058; Filed, Sept. 7, 1948; 8:54 a. m.]

[Vesting Order 11902]

GOTTLIEB AND WALBURGA SCHNEIDER

In re: Real property, household furniture and furnishings, bank accounts, cash and claim owned by Gottlieb Schneider and Wallburga Schneider, also known as Wally Schneider.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gottlieb Schneider and Walburga Schneider, also known as Wally Schneider, whose last known address is 201 Pforonten Ried, Allgäu, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. Real property situated in the Township of Jackson, County of Ocean, State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

b. All that personal property, consisting of household furniture and furnishings located on the real property described in subparagraph 2-a hereof, and described in Exhibit B, attached hereto and by reference made a part hereof,

c. That certain debt or obligation owing to the persons named in subparagraph 1 hereof, by Federal Trust Company, Newark, New Jersey, arising out of Savings Account No. 47193, entitled "Wally or Gottlieb Schneider," maintained at the Springfield Avenue Branch of the aforesaid bank located at No. 470 18th Avenue, Newark, New Jersey, and any and all rights to demand, enforce and collect the same, and

d. Cash in the sum of $34.00, presently in the possession of the Attorney General of the United States,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Gottlieb Schneider and Walburga Schneider, also known as Wally Schneider, the aforesaid nationals of a designated enemy country (Germany)

3. That the property described as follows:

a. That certain debt or other obligation owing to Walburga Schneider, also known as Wally Schneider, by Hoboken Bank for Savings, Washington and First Streets, Hoboken, New Jersey, arising out of Savings Account No. 199572, entitled "Wally Schneider," and any and all rights to demand, enforce and collect the same, and

b. Cash in the sum of $1,108.80, presently in the possession of the Treasury Department of the United States, in Trust Fund Account, Symbol 158915, entitled "Deposits, Funds of Civilian Internees and Prisoners of War" and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Walburga Schneider, also known as Wally Schneider, the aforesaid national of a designated enemy country (Germany)

4. That the property described as follows: Cash in the sum of $3,086.85, presently in the possession of the Treasury Department of the United States, in Trust Fund Account, Symbol 158915, entitled "Deposits, Funds of Civilian Internees and Prisoners of War" and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Gottlieb Schneider, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as

nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b to 4 hereof, inclusive,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 30, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

EXHIBIT A

All that certain tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the Township of Jackson in the County of Ocean and State of New Jersey.

Situated on the North side of the South Branch of Metedeconk River near Jackson's Mills known as the homestead of Jonathan C. Strickland.

Beginning at the second corner of fifty and 55/100 acres returned to Andrew Bell Dec. 1813 and recorded at Perth Amboy in the office of the Surveyor General in book S-18 page 30., also the beginning corner of a tract of 48 90/100 acres conveyed to Frank Gordon. Thence (1) as in A. D. 1942, South sixty one degrees four minutes West six hundred forty two 18/100 feet to corner of 1 44/100 acres conveyed to Jonathan Clayton. Thence (2) South seventy one degrees thirty nine minutes West two hundred and 4/100 feet. Thence (3) South forty nine degrees West two hundred eighty seven and 1/10 feet. Thence (4) North forty two degrees twenty six minutes West seven hundred twelve feet to a stone. Thence (5) North forty one degrees forty four minutes East four hundred forty five and 54/100 feet to an iron stake. Thence (6) South twenty five degrees thirty minutes East one hundred thirty three feet. Thence (7) North sixty four degrees thirty minutes East three hundred forty two feet. Thence (8) North twenty six minutes West fifty four and 8/10. Thence (9) North sixty four degrees East two hundred eight and 71/100 feet. Thence (10) North twenty six degrees West three hundred twenty nine 6/10 feet to the road from Jackson's Mills to Freehold. Thence (11) along said road North sixty four degrees thirty minutes East twelve hundred three and 29/100 feet. Thence (12) South twelve degrees fifty minutes East four hundred thirty four and 4/10 feet. Thence (13) along Southerly line of two acres Conveyed by Frank Gordon and his wife to Sylvia Turner, North Sixty five degrees eighteen minutes East two hundred ten feet. Thence (14) South forty eight degrees five minutes East along a road eighty one feet. Thence (15) along line of Albert H. Weise, South twelve degrees fifteen minutes West four hundred thirty four feet to a stone his Southwest corner. Thence (16) South seventy degrees fifty five minutes East one hundred five feet to line of land formerly Jacob Young's. Thence (17) South twelve degrees fifteen minutes West ninety seven feet to the center of a large oak tree stump. Thence (18) North eighty seven degrees forty minutes West three hundred sixteen and 8/10 feet. Thence (19) South twelve degrees fifty minutes West three hundred three and 6/10 feet to a stone. Thence (20) South forty six degrees six minutes west three hundred eighteen and 2/10 feet. Thence (21) North sixty degrees and fifty six minutes West forty three feet to the point of beginnning, containing forty six acres.

Being part of the same premises conveyed to Frank Gordon by deed from the widow and heirs of Zachariah Hankins recorded in book 318 of deeds page 236 in the office of the clerk of Ocean County.

EXHIBIT B

1 clothes closet.
2 oil cloth rugs.
1 buffet.
1 carton of old dishes—mixed.
1 sideboard buffet.
1 dish closet.
2 Morris chairs.
1 wardrobe.
1 bird cage.
1 carton of books.
1 china closet.
1 metal bed and spring.
1 Majestic radio.
1 parlor table.
1 sofa.
1 cabinet.
1 Victrola.
1 gas stove.
1 carton of pans.

[F. R. Doc. 48-8060; Filed, Sept. 7, 1948; 8:54 a. m.]

[Vesting Order 11936]

RIHEI AND HANA KAWASAKI

In re: Bonds and other property owned by Rihei Kawasaki and Hana Kawasaki. D-39-6914-F-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rihei Kawasaki and Hana Kawasaki, whose last known address is Shizouka Ken, Japan, are residents of Japan and nationals of a designated enemy country (Japan)

2. That the property described as follows:

a. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, presently in the custody of Security-First National Bank of Los Angeles, Civic Center Branch, 110 South Spring Street, Los Angeles, California, in safe deposit box number 1934, together with any and all rights thereunder and thereto, and

b. All other property of any nature whatsoever of Rihei Kawasaki and Hana Kawasaki, presently in the custody of Security-First National Bank of Los Angeles, Civic Center Branch, 110 South Spring Street, Los Angeles, California, including particularly but not limited to the property in safe deposit box number 1934, and any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 30, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

EXHIBIT A

Description of issue	Bond No.	Value
United States defense bonds series E	L2023124E	$50
	L2023123E	50
	C4903173E	100
	C4903174E	100
	D1789591E	500
	D1148814E	500
Government of Japan 5% bonds of 1907 due 1947	8-2570	£200
	11-3732	£200
	6709	$1,000
	8178	1,000
	8200	1,000
	8201	1,000
	17703	1,000
Tokio Electric Light Co. 6% bonds due 1953	18111	1,000
	18110	1,000
	23385	1,000
	29683	1,000
	30309	1,000
	40137	1,000
	40138	1,000
	39301	1,000
	45540	1,000
	39303	1,000

[F. R. Doc. 48-8061; Filed, Sept. 7, 1948; 8:54 a. m.]